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Pennsylvania. General Assembly.

MANUAL OF RULES

FOR THE

GOVERNMENT OF BOTH BRANCHES

OF THE

LEGISLATURE OF PENNSYLVANIA,

PRECEDED BY THE

CONSTITUTIONS OF THE UNITED STATES

AND OF

PENNSYLVANIA:

WITH A LIST OF THE MEMBERS AND OFFICERS OF THE SENATE AND HOUSE OF REPRESENTATIVES, WITH THEIR PLACES OF RESIDENCE WHILE IN HARRISBURG, AND THEIR POST OFFICE ADDRESS WHEN AT HOME.

PRINTED BY ORDER OF THE LEGISLATURE.

HARRISBURG:

SINGERLY & MYERS, STATE PRINTERS.

1863.

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CONSTITUTION

OF THE

UNITED STATES OF AMERICA.*

We, the people of the United States, in order to form a more perfect union, establish justice, insure domestic tranquility, provide for the common defence, promote the general welfare, and secure the blessings of liberty to ourselves and our posterity, do ordain and establish this Constitution for the United States of America. [*See* 1 *Wheat.*, 324. 4 *Wheat.*, 403.] Constitution established by the people.

ARTICLE I.

OF THE LEGISLATURE.

SECT. I. All legislative powers herein granted, shall be vested in a Congress of the United States, which shall consist of a Senate and House of Representatives. Of the legislative power.

SECT. II. 1. The House of Representatives shall be composed of members chosen every second year by the people of the several States; and the electors in each State shall have the qualifications requisite for electors of the most numerous branch of the State Legislature. Of the House of Representatives

2. No person shall be a representative who shall not have attained the age of twenty-five years, and have been seven years a citizen of the United States, and who shall not, when elected, be an inhabitant of that State in which he shall have been elected. Qualification of members.

3. Representatives and direct taxes, shall be apportioned among the several States which may be included within this Union, according to the respective numbers, which shall be determined by adding to the whole number of free persons, including those bound to service for a term of years, and excluding Indians not taxed, three-fifths of all other persons. The actual enumeration shall be made within three years after the first meeting of the Congress of the United States, and within every subsequent term of ten years, in such manner as they shall by law direct. The number of Representatives shall not exceed Apportionment of Representatives and direct taxes. Census.

* This Constitution went into operation on the first Wednesday in March, 1789. [5 *Wheat.*, 420.]

one for every thirty thousand, but each State shall have at least one representative; and until such enumeration shall be made, the State of New Hampshire shall be entitled to choose three, Massachusetts eight, Rhode Island and Providence Plantations one, Connecticut five, New York six, New Jersey four, Pennsylvania eight, Delaware one, Maryland six, Virginia ten, North Carolina five, South Carolina five, and Georgia three. [*See* 5 *Wheat.*, 317.]

Vacancies.

4. When vacancies happen in the representation from any State, the executive authority thereof shall issue writs of election to fill such vacancies.

Of their officers.

5. The House of Representatives shall choose their Speaker, and other officers, and shall have the sole power of impeachment.

Of the Senate.

SECT. III. 1. The Senate of the United States shall be composed of two Senators from each State, chosen by the Legislature thereof, for six years, and each Senator shall have one vote. [*See* 6 *Wheat.*, 390.]

Their classes.

2. Immediately after they shall be assembled, in consequence of the first election, they shall be divided as equally as may be into three classes. The seats of the Senators of the first class shall be vacated at the expiration of the second year; of the second class, at the expiration of the fourth year; and of the third class, at the expiration of the sixth year, so that one-third may be chosen every second year. And if vacancies happen by resignation, or otherwise, during the recess of the Legislature of any State, the executive thereof may make temporary appointments until the next meeting of the Legislature, which shall then fill such vacancies.

Vacancies.

Qualifications of the Senators.

3. No person shall be a Senator who shall not have attained the age of thirty years, and been nine years a citizen of the United States, and who shall not, when elected, be an inhabitant of that State for which he shall be chosen.

Of the Vice President.

4. The Vice President of the United States shall be President of the Senate, but shall have no vote unless they be equally divided.

Of the officers of the Senate.

5. The Senate shall choose their other officers, and also a President *pro tempore*, in the absence of the Vice President, or when he shall exercise the office of President of the United States.

Of impeachment.

6. The Senate shall have the sole power to try all impeachments. When sitting for that purpose they shall be on oath or affirmation. When the President of the United States is tried, the Chief Justice shall preside. And no person shall be convicted without the concurrence of two-thirds of the members present.

7. Judgment, in case of impeachment, shall not extend further than to removal from office, and disqualification to hold and enjoy any office of honor, trust or profit, under the United States; but the party convicted shall nevertheless, be liable and subject to indictment, trial, judgment, and punishment, according to law.

Manner of electing members of Congress.

SECT. IV. 1. The times, places, and manner of holding elections for Senators and Representatives, shall be prescribed by each State, by the Legislature thereof; but the Congress may,

at any time, by law, make or alter such regulations, except as to the place of choosing Senators.

2. Congress shall assemble at least once in every year; and such meeting shall be on the first Monday in December, unless they shall by law appoint a different day. Of the meetings of Congress.

SECT. V. 1. Each House shall be the judge of the elections, returns, and qualifications of its own members; and a majority of each shall constitute a quorum to do business; but a smaller number may adjourn from day to day, and may be authorized to compel the attendance of the absent members, in such manner and under such penalties as each House may provide. Powers of each House.

2. Each House may determine the rules of its proceedings, punish its members for disorderly behaviour, and with the concurrence of two-thirds, expel a member. [*See* 1 *Hall's Am. Law Journal*, 459.] Expulsion.

3. Each House shall keep a journal of its proceedings, and from time to time publish the same, excepting such parts as may, in their judgment, require secrecy; and the yeas and nays of members of either House, on any question, shall, at the desire of one-fifth of those present, be entered on the journal. Journal and yeas and nays.

4. Neither House, during the session of Congress, shall, without the consent of the other, adjourn for more than three days, nor to any other place than to that in which the two Houses shall be sitting. Of adjournment.

SECT. VI. 1. The Senators and Representatives shall receive a compensation for their services, to be ascertained by law, and paid out of the treasury of the United States. They shall, in all cases, except treason, felony, and breach of the peace, be privileged from arrest during their attendance at the session of their respective Houses, and in going to and returning from the same; and for any speech or debate in either House, they shall not be questioned in any other place. Compensation, privileges, and incapacities of the members.

2. No Senator or Representative shall, during the time for which he was elected, be appointed to any civil office under the authority of the United States, which shall have been created, or the emoluments whereof shall have been increased during such time; and no person holding any office under the United States, shall be a member of either House during his continuance in office. Exclusion from office.

SECT. VII. 1. All bills for raising revenue shall originate in the House of Representatives; but the Senate may propose or concur with amendments, as on other bills. Revenue bills.

2. Every bill which shall have passed the House of Representatives and the Senate, shall, before it become a law, be presented to the President of the United States; if he approve, he shall sign it; but if not, he shall return it, with his objections, to the House in which it shall have originated, who shall enter the objections at large on their journal, and proceed to re-consider it. If, after such re-consideration, two-thirds of that House shall agree to pass the bill, it shall be sent, together with the objections, to the other House, by which it shall likewise be re-considered, and if approved by two-thirds of that House, it shall become a law. But in all cases the votes of both Houses shall be determined by yeas and nays, and the names of the persons voting for and against the bill shall be entered Manner of passing bills, &c.

on the journal of each House respectively. If any bill shall not be returned by the President within ten days (Sundays excepted) after it shall have been presented to him, the same shall be a law, in like manner as if he had signed it, unless Congress, by their adjournment, prevent its return, in which case it shall not be a law.

Orders, resolutions and votes.

3. Every order, resolution, or vote, to which the concurrence of the Senate and House of Representatives may be necessary, (except on a question of adjournment,) shall be presented to the President of the United States, and before the same shall take effect, shall be approved by him, or, being disapproved by him, shall be re-passed by two-thirds of the Senate and House of Representatives, according to the rules and limitations prescribed in the case of bills.

SECT. VIII. Congress shall have power:

General powers of Congress.

1. To lay and collect taxes, duties, imposts, and excises, to pay the debts and provide for the common defence and general welfare of the United States; but all duties, imposts, and excises, shall be uniform throughout the United States. [*See* 5 *Wheaton*, 317.]

2. To borrow money on the credit of the United States.

3. To regulate commerce with foreign nations, and among the several States, and with the Indian tribes. [*See* 9 *Wheaton*, 1, 2. *Hall's Am. L. Jour.*, 255, 272. *Johns.*, 488.]

4. To establish a uniform rule of naturalization, and uniform laws on the subject of bankruptcies throughout the United States. [*See* 4 *Wheaton*, 122, 193, 209. 2 *Wheaton*, 266. 20 *Johns.*, 93.]

5. To coin money, regulate the value thereof, and of foreign coin, and fix the standard of weights and measures.

6. To provide for the punishment of counterfeiting the securities and current coin of the United States.

7. To establish post-offices and post roads.

8. To promote the progress of science and useful arts by securing, for limited times, to authors and inventors, the exclusive right to their respective writings and discoveries. [*See Wheaton's App., n.* 2, *p.* 13. 7 *Wheaton*, 356.]

9. To constitute tribunals inferior to the Supreme Court.

10. To define and punish piracies and felonies committed on the high seas, and offences against the law of nations. [5 *Wheaton*, 184, 153, 76. 3 *Wheaton*, 336.]

11. To declare war, grant letters of marque and reprisal, and make rules concerning captures on land and waters. [8 *Cranch*, 110, 154.]

12. To raise and support armies; but no appropriation of money to that use shall be for a longer period than two years.

13. To provide and maintain a navy. [*See* 1 *Mason*, 79, 81. 4 *Binn.*, 487.]

14. To make rules for the government and regulation of the land and naval forces.

15. To provide for calling forth the militia to execute the laws of the Union, suppress insurrection, and repel invasion [*See* 5 *Wheaton*, 1. 19 *Johns.*, 7.]

16. To provide for organizing, arming, and disciplining the militia, and for governing such part of them as may be em

ployed in the service of the United States, reserving to the States, respectively, the appointment of officers, and the authority of training the militia according to the discipline prescribed by Congress. [3 *S. & R.*, 169. 5 *Wheaton*, 1. 19 *Johns.*, 7.]

17. To exercise exclusive legislation, in all cases whatsoever, over such district, (not exceeding ten miles square,) as may, by cession of particular States, and the acceptance of Congress, become the seat of government of the United States; and to exercise like authority over all places purchased by the authority of the Legislature of the State in which the same shall be, for the erection of forts, magazines, arsenals, dock-yards, and other needful buildings; and—[*See* 2 *Mason*, 60. 5 *Wheaton*, 217, 324. 6 *Wheaton*, 440. *Jour. of Juris.*, 47, 156. 17 *Johns.*, 225.]

18. To make all laws which shall be necessary and proper, for carrying into execution the foregoing powers, and all other powers vested by this Constitution in the government of the United States, or in any department or officer thereof. [4 *Wheat.*, 413. 6 *Wheat.*, 204.]

Limitations of the powers of Congress.

SECT. IX. 1. The migration or importation of such persons as any of the States now existing shall think porper to admit, shall not be prohibited by Congress, prior to the year one thousand eight hundred and eight; but a tax or duty may be imposed on such importation, not exceeding ten dollars for each person.

2. The privilege of the writ of *habeas corpus* shall not be suspended, unless, when in case of rebellion or invasion, the public safety may reqire it.

3. No bill of attainder, or *ex post facto* law shall be passed. [*See* 3 *Dallas*, 386, 396. 6 *Binn.*, 271.]

4. No capitation or other direct tax shall be laid, unless in proportion to the census or enumeration hereinbefore directed to be taken. [*See* 5 *Wheat.*, 317. 3 *Dall.*, 171.]

5. No tax or duty shall be laid on articles exported from any State. No preference shall be given, by any regulation of commerce or revenue, to the ports of one State over those of another; nor shall vessels bound to or from one State be obliged to enter, clear, or pay duties in another.

6. No money shall be drawn from the treasury, but in consequence of appropriations made by law; and a regular statement and account of the receipts and expenditures of all public money shall be published from time to time.

7. No title of nobility shall be granted by the United States; and no person holding any office of profit or trust under them, shall, without the consent of Congress, accept of any present, emolument, office, or title of any kind whatever, from any king, prince or foreign State.

Limitations the powers of the individual States.

SECT. X. 1. No State shall enter into any treaty, alliance, or confederation; grant letters of marque and reprisal; coin money; emit bills of credit; make anything but gold and silver coin a tender in payment of debts; pass any bill of attainder, *ex post facto* law, or law impairing the obligation of contracts; or grant any title of nobility. [*See* 8 *Wheat.*, 84, 92, 256, *n.* 464. 5 *Wheat.*, 420. 4 *Wheat.*, 518, 1, 209. 6 *Wheat.*, 131.

16 *Johns.*, 233. 13 *Mass.*, 16. 17 *Johns. Ch. R.*, 297. 2 *Cowen*, 626.]

2. No State shall, without the consent of Congress, lay any imposts or duties on imports or exports, except what may be absolutely necessary for executing its inspection laws; and the net produce of all duties and imposts laid by any State on imports or exports, shall be for the use of the Treasury of the United States; and all such laws shall be subject to the revision and control of Congres. No State shall, without the consent of Congress, lay any duty on tonnage, keep troops or ships of war in time of peace, enter into any agreement or compact with another State, or with a foreign power, or engage in war, unless actually invaded, or in such imminent danger as will not admit of delay.

ARTICLE II.

OF THE PRESIDENT.

Of the Executive power.

SECT I. 1. The Executive power shall be vested in a President of the United States of America. He shall hold his office during the term of four years, and together with the Vice President chosen for the same term, be elected as follows:

Manner of electing.

2. Each State shall appoint, in such manner as the Legislature thereof may direct, a number of electors equal to the whole number of Senators and Representatives to which the State may be entitled in Congress; but no Senator or Representative, or person holding an office of trust or profit under the United States, shall be appointed an elector.

Altered.—See amendments, Article XII.

3. The electors shall meet in their respective States, and vote by ballot, for two persons, of whom one, at least, shall not be an inhabitant of the same State with themselves. And they shall make a list of all the persons voted for, and of the number of votes for each; which list they shall sign and certify, and transmit, sealed, to the seat of government of the United States; directed to the President of the Senate. The President of the Senate shall, in the presence of the Senate and House of Representatives, open all the certificates, and the votes shall then be counted. The person having the greatest number of votes shall be the President, if such number be a majority of the whole number of electors appointed; and if there be more than one who have such majority, and have an equal number of votes, then the House of Representatives shall immediately choose by ballot, one of them for President; and if no person have a majority, then, from the five highest on the list, the said House shall in like manner choose the President. But in choosing the President, the votes shall be taken by States, the representation from each State having one vote; a quorum for this purpose shall consist of a member or members from two-thirds of the States, and a majority of all the States shall be necessary to a choice. In every case, after the choice of the President, the person having the greatest number of the votes of the electors, shall be the Vice President. But if there should remain two or more who have equal votes, the Senate shall choose from them, by ballot, the Vice President. [*This clause is altogether altered and supplied by the XIIth amendment.*]

4. Congress may determine the time of choosing the electors, and the day on which they shall give their votes, which day shall be the same throughout the United States.

Who may be elected President.

5. No person, except a natural born citizen, or a citizen of the United States at the time of the adoption of this Constitution, shall be eligible to the office of President; neither shall any person be eligible to that office who shall not have attained to the age of thirty-five years, and been fourteen years a resident within the United States. [*So also as to the Vice President. See XIIth amendment, post.*]

In case of removal, &c., of the President, his powers to devolve upon the Vice President, &c.

6. In case of the removal of the President from office, or of his death, resignation, or inability to discharge the powers and duties of the said office, the same shall devolve on the Vice President; and Congress may, by law, provide for the case of removal, death, resignation, or inability, both of the President and Vice President, declaring what officer shall then act as President, and such officer shall act accordingly, until the disability be removed, or a President shall be elected.

President's compensation.

7. The President shall, at stated times, receive for his services a compensation which shall neither be increased nor diminished during the period for which he shall have been elected; and he shall not receive, within that period, any other emolument from the United States, or any of them.

8. Before he enter on the execution of his office, he shall take the following oath or affirmation:

His oath.

"I do solemnly swear (or affirm) that I will faithfully execute the office of President of the United States, and will, to the best of my ability, preserve, protect, and defend the Constitution of the United States."

Power and duties of the President.

SECT. II. 1. The President shall be Commander-in-Chief of the army and navy of the United States, and of the militia of the several States, when called into the actual service of the United States; he may require the opinion, in writing, of the principal officer in each of the executive departments, upon any subject relating to the duties of their respective offices, and he shall have power to grant reprieves and pardons for offences against the United States, except in cases of impeachment.

Of making treaties.

2. He shall have power, by and with the advice and consent of the Senate, to make treaties, provided two-thirds of the Senate present concur; and he shall nominate, and by and with the advice and consent of the Senate, shall appoint ambassadors, other public ministers, and consuls, Judges of the Supreme Court, and all officers of the United States, whose appointments are not herein otherwise provided for, and which shall be established by law. But Congress may, by law, vest the appointment of such inferior officers as they think proper, in the President alone, in the courts of law, or in the heads of departments.

Power of appointment.

3. The President shall have power to fill up all vacancies that may happen during the recess of the Senate, by granting commissions, which shall expire at the end of their next session.

Further powers and duties.

SECT. III. He shall, from time to time, give to Congress information of the state of the Union, and recommend to their consideration such measures as he shall judge necessary and expedient; he may, on extraordinary occasions, convene both

Houses, or either of them; and in case of disagreement between them, with respect to the time of adjournment, he may adjourn them to such time as he shall think proper; he shall receive ambassadors and other public ministers; he shall take care that the laws be faithfully executed, and shall commission all the officers of the United States. [*See* 1 *Cranch*, 137.]

Of impeachment.

SECT. IV. The President, Vice President, and all civil officers of the United States, shall be removed from office on impeachment for, and conviction of, treason, bribery, or other high crimes and misdemeanors.

ARTICLE III.

OF THE JUDICIARY.

Of the judicial power.

SECT. I. The judicial power of the United States shall be vested in one Supreme Court, and in such inferior courts as Congress may, from time to time, ordain and establish. The judges, both of the Supreme and inferior courts, shall hold their

Concerning the judges.

offices during good behaviour, and shall at stated times, receive for their services a compensation, which shall not be diminished during their continuance in office. [*See* 7 *Johns. Ch. R.*, 303.]

Extent of the judicial power.

SECT. II. 1. The judicial power shall extend to all cases in law and equity, arising under this Constitution, the laws of the United States, and treaties made, or which shall be made, under their authority; to all cases affecting ambassadors, or other public ministers and consuls; to all cases of admiralty and maritime jurisdiction; to controversies to which the United

This clause altered postea.—See amendments, Art. XI.

States shall be a party; to controversies between two or more States; between a State and citizens of another State; between citizens of different States; between citizens of the same State, claiming lands under grants of different States, and between a State, or the citizens thereof, and foreign States, citizens, or subjects. [*See* 2 *Dall.*, 297. 6 *Wheat.*, 264, 405. 2 *Mason*, 472. 9 *Wheat.*, 819.]

Of original and appellate jurisdiction of the Supreme Court.

2. In all cases affecting ambassadors, other public ministers and consuls, and those in which a State shall be a party, the Supreme Court shall have original jurisdiction. In all other cases before mentioned, the Supreme Court shall have appellate jurisdiction, both as to law and fact, with such exceptions, and under such regulations, as Congress shall make. [5 *Sergt. & R.*, 545. 1 *Binn.*, 138.]

Of trials for crimes.

3. The trial of all crimes, except in cases of impeachment, shall be by jury; and such trial shall be held in the State where the said crimes shall have been committed; but when not committed within any State, the trial shall be at such place or places as Congress may by law have directed.

Of treason.

SECT. III. 1. Treason against the United States shall consist only in levying war against them, or in adhering to their enemies, giving them aid and comfort. No person shall be convicted of treason, unless on the testimony of two witnesses to the same overt act, or on confession in open court. [4 *Cranch App., note B.*, 470, 126.]

2. Congress shall have power to declare the punishment of treason, but no attainder of treason shall work corruption of

blood, or forfeiture, except during the life of the person attainted.

ARTICLE IV.

OF STATE RECORDS.

Of records, &c.

SECT. I. Full faith and credit shall be given, in each State, to the public acts, records, and judicial proceedings of every other State. And Congress may, by general laws, prescribe the manner in which such acts, records, and proceedings shall be proved, and the effect thereof. [*See* 7 *Cranch*, 481. 3 *Wheat.*, 234. 1 *Peters*, 81, 351. 6 *Wheat.*, 129.]

OF CITIZENSHIP.

Of citizenship.

SECT. II. 1. The citizens of each State shall be entitled to all privileges and immunities of citizens in the several States.* [*See* 4 *Johns. Ch. R.*, 430.]

OF FUGITIVES FROM JUSTICE.

Of fugitive criminals.

2. A person charged in any State for treason, felony, or other crime, who shall flee from justice and be found in another State, shall, on demand of the executive authority of the State from which he fled, be delivered up, to be removed to the State having jurisdiction of the crime. [*See* 4 *Johns. Ch. R.*, 106.]

OF PERSONS HELD TO SERVICE.

Of persons held to service.

3. No person held to service or labor in one State under the laws thereof, escaping into another, shall, in consequence of any lay or regulation therein, be discharged from such service or labor, but shall be delivered up, on the claim of the party to whom such service or labor may be due. [*See* 2 *S. & R.*, 306. 3 *S. & R.*, 4. 5 *S. & R.*, 62.]

OF THE ADMISSION OF NEW STATES.

Of new States.

SECT. III. 1. New States may be admitted by Congress into this Union; but no new State shall be formed or erected within the jurisdiction of any other State, nor any State be formed by the junction of two or more States or parts of States, without the consent of the Legislatures of the States concerned, as well as of Congress.

OF TERRITORIES.

Of the territory of the U. States.

2. Congress shall have power to dispose of, and make all needful rules and regulations respecting the territory or other property belonging to the United States; and nothing in this Constitution shall be so construed as to prejudice any claims of the United States, or any particular State.

*Free negroes and mulattoes are not citizens within the meaning of the Constitution. [1 *Litt.*, 333.]

OF STATE FORMS OF GOVERNMENT.

Republican form of government guaranteed to the several States.

SECT. IV. The United States shall guarantee to every State in this Union a republican form of government, and shall protect each of them against invasion; and on application of the Legislature, or of the Executive, (when the Legislature cannot be convened,) against domestic violence.

ARTICLE V.

OF AMENDMENTS TO THE CONSTITUTION.

Of amendments to the Constitution.

Congress, whenever two-thirds of both houses shall deem it necessary, shall propose amendments to this Constitution, or on the application of the Legislatures of two-thirds of the several States, shall call a Convention for proposing amendments, which in either case shall be valid, to all intents and purposes, as part of this Constitution, when ratified by the Legislatures of three-fourths of the several States, or by Conventions in three-fourths thereof, as the one or the other mode of ratification may be proposed by Congress: *Provided*, That no amendment which may be made prior to the year eighteen hundred and eight, shall in any manner affect the first and fourth clauses in the ninth section of the first article; and that no State, without its consent, shall be deprived of its equal suffrage in the Senate.

ARTICLE VI.

OF PUBLIC DEBT.

Of former debts.

SECT. I. All debts contracted, and engagements entered into, before the adoption of this Constitution, shall be as valid against the United States, under this Constitution, as under the confederation.

OF THE SUPREME LAW OF THE LAND.

Force of the Constitution, laws, and treaties of the U. States.

SECT. II. This Constitution, and the laws of the United States which shall be made in pursuance thereof, and all treaties made, or which shall be made, under the authority of the United States, shall be the supreme law of the land; and the Judges in every State shall be bound thereby, anything in the Constitution or laws of any State to the contrary notwithstanding.

OF THE CONSTITUTIONAL OATH, AND RELIGIOUS TEST.

Oath to support the Constitution.

Of a religious test.

SECT. III. The Senators and Representatives before mentioned, and the members of the several State Legislatures, and all executive and judicial officers, both of the United States and of the several States, shall be bound, by oath or affirmation, to support this Constitution; but no religious test shall ever be required as a qualification to any office of public trust under the United States.

ARTICLE VII.

The ratification of the Conventions of nine States shall be sufficient for the establishment of this Constitution, between the States so ratifying the same. [5 *Wheat.*, 422.]

Done in the Convention, by the unanimous consent of the States present, the seventeenth day of September, in the year of our Lord one thousand seven hundred and eighty-seven, and of the Independence of the United States of America the twelfth. Ratification of the Constitution.

In witness whereof, we have hereunto subscribed our names.

GEO. WASHINGTON, *President,*
And Deputy from Virginia.

NEW HAMPSHIRE.

John Langdon,
Nichols Gilman.

MASSACHUSETTS.

Nathanial Gorman,
Rufus King.

CONNECTICUT.

William Samuel Johnson,
Roger Sherman.

NEW YORK.

Alexander Hamilton.

NEW JERSEY.

William Livingston,
David Brearley,
William Paterson,
Jonathan Dayton.

PENNSYLVANIA.

Benjamin Franklin,
Thomas Mifflin,
Robert Morris,
George Clymer,
Thomas Fitzsimons,
Jared Ingersoll,
James Wilson,
Gouv. Morris.

DELAWARE.

George Reed,
Gunning Bedford, Jun.,
John Dickinson,
Richard Bassett,
Jacob Broom.

MARYLAND.

James M'Henry,
Daniel of St. Thos. Jenifer,
Daniel Carroll.

VIRGINIA.

John Blair,
James Madison, Jun.

NORTH CAROLINA.

William Blount,
Richard Dobbs Spaight,
Hugh Williamson.

SOUTH CAROLINA.

John Rutledge,
Charles Cotesworth Pinckney,
Charles Pinckney,
Pierce Butler.

GEORGIA.

William Few,
Abraham Baldwin.

Attest—William Jackson, *Secretary.*

AMENDMENTS.

The following articles, proposed by Congress, in addition to and amendments of the Constitution of the United States, having been ratified by the Legislatures of two-thirds of the States, are become a part of the Constitution.

First Congress, First Session, March 5, 1789.

Of the right of conscience, freedom of the press, &c.

ARTICLE 1. Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble, and to petition the government for a redress of grievances. [*See* 3 *Yeates*, 520.]

Of the right to bear arms.

ART. II. A well regulated militia being necessary to the security of a free State, the right of the people to keep and bear arms shall not be infringed.

Of quartering troops.

ART. III. No soldier shall in time of peace be quartered in any house without the consent of the owner; nor in time of war, but in a manner to be prescribed by law.

Of the right to be secure from search, general warrants, &c.

ART. IV. The right of the people to be secure in their persons, houses, papers and effects, against unreasonable searches and seizures, shall not be violated; and no warrant shall issue, but upon probable cause, supported by oath or affirmation, and particularly describing the place to be searched, and the persons or things to be seized. [3 *Cranch*, 448, 453. 6 *Binn.*, 316.]

Of indictments, punishments, &c.

ART. V. No person shall be held to answer for a capital, or otherwise infamous crime, unless on a presentment or indictment of a grand jury, except in cases arising in the land or naval forces, or in the militia, when in actual service in time of war or public danger; nor shall any person be subject, for the same offence, to be twice put in jeopardy of life or limb; nor shall be compelled in any criminal case to be a witness against himself; nor be deprived of life, liberty, or property, without due process of law; nor shall private property be taken for public use without just compensation. [18 *Johns.*, 187, 201. 3 *Yeates*, 362. 6 *Binn.*, 509. 2 *Dall.*, 312. 2 *Johns. Ch. R.*, 164. 1 *S. & R.*, 382. 6 *Cowen*, 530. 8 *Wend.*, 85. 7 *Pet.*, 243.]

Of trial in criminal cases, and the rights of a defendant.

ART. VI. In all criminal prosecutions, the accused shall enjoy the right to a speedy and public trial, by an impartial jury of the State and district wherein the crime shall have been committed, which district shall have been previously ascertained by law, and to be informed of the nature and cause of the accusation; to be confronted with the witnesses against him; to have compulsory process for obtaining witnesses in his favor, and to have the assistance of counsel for his defence.

Of trials in civil cases.

ART. VII. In suits at common law, where the value in controversy shall exceed twenty dollars, the right of trial by jury shall be preserved; and no fact tried by a jury shall be otherwise re-examined in any court of the United States, than according to the rules of the common law. [*See* 8 *Wheat.*, 85, 674.]

Of bail and fines.

ART. VIII. Excessive bail shall not be required, nor excessive fines imposed, nor cruel and unusal punishments inflicted. [*See* 20 *Johns.*, 457. 3 *Cowen*, 686.]

ART. IX. The enumeration in the Constitution, of certain rights, shall not be construed to deny or disparage others, retained by the people. Of rights reserved.

ART. X. The powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people. [*See* 1 *Wheat.*, 325.] Of powers reserved to the States.

Third Congress, Second Session, December 2, 1793.

ART. XI. The judicial power of the United States shall not be construed to extend to any suit, in law or equity, commenced or prosecuted against one of the United States, by citizens of another State, or by citizens or subjects of any foreign State. [*See* 6 *Wheat.*, 405. 1 *Pet.*, 110, 7 *Pet.*, 627.] Of the judicial power.—See Art. 3, Sec. 2.

Eighth Congress, First Session, October 17, 1803.

ART. XII. The electors shall meet in their respective States,* and vote by ballot for President and Vice President, one of whom, at least, shall not be an inhabitant of the same State with themselves; they shall name, in their ballots, the person voted for as President, and in distinct ballots the person voted for as Vice President; and they shall make distinct lists of all persons voted for as President, and of all persons voted for as Vice President, and of the number of votes for each; which lists they shall sign and certify, and transmit sealed† to the seat of the government of the United States, directed to the President of the Senate; the President of the Senate shall, in the presence of the Senate and House of Representatives, open all the certificates,‡ and the votes shall then be counted; the person having the greatest number of votes for President shall be the President, if such number be a majority of the whole number of electors appointed. And if no person have such majority, then from the persons having the highest numbers, not exceeding three, on the list of those voted for as President, the House of Representatives shall choose immediately by ballot, the President; but in choosing the President, the votes shall be taken by States, the representation from each State having one vote; a quorum for this purpose, shall consist of a member or members from two-thirds of the States, and a majority of all the States shall be necessary to a choice; and if the House of Representatives shall not choose a President whenever the right of a choice shall devolve upon them, before the fourth day of March next following, then the Vice President shall act as President, as in the case of the death or other constitutional disability of the President. The person having the greatest number of votes as Vice President shall be the Vice President, if such number be a majority of the whole number of electors appointed; and if no person have a majority, then from the two highest Manner of electing the President and Vice President.

*On the 1st Wednesday in December, by act of Congress, 1st March, 1792.

†Before the 1st Wednesday in January, by act of Congress, 1st March, 1792.

‡On the 2d Wednesday in February, by the same act.

numbers on the list, the Senate shall choose the Vice President; a quorum for the purpose shall consist of two-thirds of the whole number of Senators, and a majority of the whole number shall be necessary to a choice. But no person constitutionally ineligible to the office of President, shall be eligible to that of Vice President of the United States.

[The following article was proposed by Congress to the several States for their adoption as part of the Constitution, and has been ratified by the State of Pennsylvania, and some of the other States; but had not, in March, 1825, been ratified by the number of States required by the fifth article of the Constitution, and is, therefore, as yet, no part of the Constitution of the United States:]

Eleventh Congress, Second Session, November 27, 1809.

Citizens not to receive titles or presents from foreign powers.

ART. XIII. If any citizen of the United States shall accept, claim, receive, or retain any title of nobility or honor, or shall, without the consent of Congress, accept and retain any present, pension, office, or emolument of any kind whatever, from any emperor, king, prince, or foreign power, such person shall cease to be a citizen of the United States, and shall be incapable of holding any office of trust or profit under them or either of them. [*See Const. U. S., Art.* 1, ix. *p.* 7.]

CONSTITUTION

OF THE

COMMONWEALTH OF PENNSYLVANIA OF 1790,

AS AMENDED IN 1838;

WITH THE SUBSEQUENT AMENDMENTS ADOPTED IN 1850 AND 1857.

We, the people of the Commonwealth of Pennsylvania, ordain and establish this Constitution for its government.

ARTICLE I.

OF THE LEGISLATURE.

Of the legislative power.

Sect. I. The Legislative power of this Commonwealth shall be vested in a General Assembly, which shall consist of a Senate and House of Representatives.

Of the election of Representatives.

Sect. II. The Representatives shall be chosen annually by the citizens * * *† on the second Tuesday of October.

Of the qualification of Representatives.

Sect. III. No person shall be a Representative who shall not have attained the age of twenty-one years, and have been a citizen and inhabitant of the State three years next preceding his election, and the last year thereof an inhabitant of the district in and for which he shall be chosen a Representative, unless he shall have been absent on the public business of the United States or of this State.

Apportionment of Representatives.

Sect. IV.† In the year one thousand eight hundred and sixty-four, and in every seventh year thereafter, Representatives to the number of one hundred, shall be apportioned and distributed equally throughout the State, by districts, in proportion to the number of taxable inhabitants in the several parts thereof, except that any county containing at least three thousand five hundred taxables, may be allowed a separate representation; but no more than three counties shall be joined, and no county shall be divided in the formation of a district. Any city containing a sufficient number of taxables to entitle it to at least two Representatives, shall have a separate representation assigned it, and shall be divided into convenient districts of contiguous territory, of equal taxable population as near as may be, each of which districts shall elect one Representative.

† Third amendment of 1857.

Of the election of Senators.

SECT. V. The Senators shall be chosen for three years, by the citizens * * *† at the same time, in the same manner, and at the same places where they shall vote for Representatives.

Of the ratio of representation in the Senate.

SECT. VI. The number of Senators shall, at the several periods of making the enumeration before mentioned, be fixed by the Legislature, and apportioned among the districts formed, as hereinafter directed, according to the number of taxable inhabitants in each; and shall never be less than one-fourth, nor greater than one-third, of the number of Representatives.

Of districts for electing Senators.

SECT. VII. The Senators shall be chosen in districts to be formed by the Legislature; but no district shall be so formed as to entitle it to elect more than two Senators, unless the number of taxable inhabitants in any city or county shall, at any time, be such as to entitle it to elect more than two, but no city or county shall be entitled to elect more than four Senators; when a district shall be composed of two or more counties, they shall be adjoining * * * and no‡ county shall be divided in forming a district: The city of Philadelphia shall be divided into single Senatorial districts of contiguous territory as nearly equal in taxable population as possible; but no ward shall be divided in the formation thereof.‡

Senatorial districts in Philadelphia.

Of the qualification of Senators.

SECT. VIII. No person shall be a Senator who shall not have attained the age of twenty-five years, and have been a citizen and inhabitant of the State four years next before his election, and the last year thereof an inhabitant of the district for which he shall be chosen, unless he shall have been absent on the public business of the United States, or of this State; and no person elected as aforesaid shall hold said office after he shall have removed from such district.

Of classing the Senators.

SECT. IX. The Senators who may be elected at the first general election after the adoption of the amendments to the Constitution, shall be divided by lot into three classes. The seats of the Senators of the first class shall be vacated at the expiration of the first year, of the second class, at the expiration of the second year; and of the third class at the expiration of the third year; so that thereafter one-third of the whole number of Senators may be chosen every year. The Senators elected before the amendments to the Constitution shall be adopted, shall hold their offices during the terms for which they shall respectively have been elected.

Meeting of the General Assembly.

SECT. X. The General Assembly shall meet on the first Tuesday of January, in every year, unless sooner convened by the Governor.

Of the officers of each House.

SECT. XI. Each House shall choose its Speaker and other officers; and the Senate shall also choose a Speaker *pro tempore*, when the Speaker shall exercise the office of Governor.

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† Third amendment of 1857.

‡ From third amendment of 1857; which further provides with reference to sections IV and VII above, as follows:

"The Legislature, at its first session, after the adoption of this amendment, shall divide the city of Philadelphia into Senatorial and Representative districts, in the manner above provided; such districts to remain unchanged until the apportionment in the year one thousand eight hundred and sixty-four."

Of the powers of each House.

SECT. XII. Each House shall judge of the qualifications of its members. Contested elections shall be determined by a committee to be selected, formed, and regulated in such manner as shall be directed by law. A majority of each House shall constitute a quorum to do business; but a smaller number may adjourn from day to day, and may be authorized by law to compel the attendance of absent members, in such manner and under such penalties as may be provided.

Of censure and expulsion.

SECT. XIII. Each House may determine the rules of its proceedings, punish its members for disorderly behaviour, and with the concurrence of two-thirds, expel a member, but not a second time for the same cause; and shall have all other powers necessary for a branch of the Legislature of a free State.

Divorce.

SECT. XIV. The Legislature shall not have power to enact laws annulling the contract of marriage, in any case where by law, the courts of this Commonwealth are or may hereafter be empowered to decree a divorce.

Of Journals.

SECT. XV. Each House shall keep a journal of its proceedings, and publish them weekly, except such parts as may require secrecy; and the yeas and nays of the members on any question, shall at the desire of any two of them, be entered on the Journals.

Yeas and nays.

The doors to be open.

SECT. XVI. The doors of each House, and of committees of the whole, shall be open, unless when the business shall be such as ought to be kept secret.

Of adjournment.

SECT. XVII. Neither House shall, without the consent of the other, adjourn for more than three days, nor to any other place than that in which the two Houses shall be sitting.

Of the compensation and privileges of members.

SECT. XVIII. The Senators and Representatives shall receive a compensation for their services, to be ascertained by law, and paid out of the Treasury of the Commonwealth. They shall in all cases, except treason, felony, and breach or surety of the peace, be privileged from arrest, during their attendance at the session of their respective Houses, and in going to and returning from the same; and for any speech or debate in either House they shall not be questioned in any other place.

Of the disqualifications of members.

SECT. XIX. No Senator or Representative shall, during the time for which he shall have been elected, be appointed to any civil office under this Commonwealth, which shall have been created, or the emoluments of which shall have been increased during such time; and no member of Congress or other person, holding any office (except of attorney-at-law, and in the militia) under the United States or this Commonwealth, shall be a Member of either House during his continuance in Congress, or in office.

Of vacancies.

SECT. XX. When vacancies happen in either House, the Speaker shall issue writs of election to fill such vacancies.

Of revenue bills.

SECT. XXI. All bills for raising revenue shall originate in the House of Representatives; but the Senate may propose amendments as in other bills.

Of the treasury.

SECT. XXII. No money shall be drawn from the Treasury but in consequence of appropriations made by law.

Of bills returned by the Governor with objections.

SECT. XXIII. Every bill which shall have passed both Houses, shall be presented to the Governor, if he approve, he shall sign it; but if he shall not approve, he shall return it with

his objections, to the House in which it shall have originated who shall enter the objections at large upon their Journals, and proceed to re-consider it. If, after such re-consideration two-thirds of that House shall agree to pass the bill, it shall be sent with the objections, to the other House, by which likewise it shall be re-considered, and if approved by two-thirds of that House, it shall be a law; but in such cases the votes of both Houses shall be determined by yeas and nays, and the names of the persons voting for or against the bill shall be entered on the Journals of each House respectively. If any bill shall not be returned by the Governor within ten days (Sundays excepted) after it shall have been presented to him, the same shall be a law, in like manner as if he had signed it, unless the General Assembly, by their adjournment, prevent its return; in which case it shall be a law, unless sent back within three days after their next meeting.

Of bills not returned.

Of orders, resolutions and votes.

SECT. XXIV. Every order, resolution, or vote, to which the concurrence of both Houses may be necessary, (except on a question of adjournment,) shall be presented to the Governor, and before it shall take effect, be approved by him, or being disapproved, shall be re-passed by two-thirds of both Houses, according to the rules and limitations prescribed in case of a bill.

Bank incorporations, how obtained.

Charters limited.

SECT. XXV. No corporate body shall be hereafter created, renewed or extended, with banking or discounting privileges, without six months' previous public notice of the intended application for the same, in such manner as shall be prescribed by law; nor shall any charter for the purposes aforesaid be granted for a longer period than twenty years; and every such charter shall contain a clause reserving to the Legislature the power to alter, revoke, or annul the same, whenever, in their opinion, it may be injurious to the citizens of the Commonwealth; in such manner, however, that no injustice shall be done to the corporators. No law hereafter enacted shall create, renew, or extend the charter of more than one corporation.

Alteration or revocation of charter.

SECT. XXVI. * The Legislature shall have the power to alter, revoke, or annul, any charter of incorporation hereafter conferred by or under any special or general law, whenever, in their opinion, it may be injurious to the citizens of the Commonwealth; in such manner, however, that no injustice shall be done to the corporators.

ARTICLE II.

OF THE GOVERNOR.

Executive.

SECT. I. The Supreme Executive power of this Commonwealth shall be vested in a Governor.

Election of Governor.

SECT. II. The Governor shall be chosen on the second Tuesday of October, by the citizens of the Commonwealth, at the places where they shall respectively vote for Representatives; the returns of every election for Governor shall be sealed up and transmitted to the Seat of Government, directed to the Speaker

* Fourth amendment of 1857.

of the Senate, who shall open and publish them in the presence of the members of both Houses of the Legislature; the person having the highest number of votes shall be Governor; but if two or more shall be equal and highest in votes, one of them shall be chosen Governor by the joint vote of the members of both Houses. Contested elections shall be determined by a committee to be selected from both Houses of the Legislature, and formed and regulated in such manner as shall be directed by law.

Continuance in office.

SECT. III. The Governor shall hold his office during three years, from the third Tuesday of January next ensuing his election, and shall not be capable of holding it longer than six, in any term of nine years.

Qualifications.

SECT. IV. He shall be at least thirty years of age, and have been a citizen and an inhabitant of this State seven years next before his election, unless he shall have been absent on the public business of the United States or of this State.

Disqualifications.

SECT. V. No member of Congress, or person holding any office under the United States or of this State, shall exercise the office of Governor.

Compensation.

SECT. VI. The Governor shall, at stated times receive for his services a compensation which shall be neither increased nor diminished during the period for which he shall have been elected.

Military power.

SECT. VII. He shall be Commander-in-Chief of the army and navy of this Commonwealth, and of the militia, except when they shall be called into actual service of the United States.

General powers and duties.

SECT. VIII. He shall appoint a Secretary of the Commonwealth during pleasure; and he shall nominate, and by and with the advice and consent of the Senate, appoint all judicial officers of the courts of record, unless otherwise provided for in this Constitution. He shall have power to fill all vacancies that may happen in such judicial offices during the recess of the Senate, by granting commissions, which shall expire at the end of their next session: *Provided*, That in acting on executive nominations the Senate shall sit with open doors; and in confirming or rejecting the nominations of the Governor, the vote shall be taken by yeas and nays.

Pardons.

SECT. IX. He shall have power to remit fines and forfeitures, and grant reprieves and pardons, except in cases of impeachment.

Information from officers of Executive department.

SECT. X. He may require information, in writing, from the officers of the Executive Department, upon any subject relating to the duties of their respective offices.

Information to the Legislature.

SECT. XI. He shall, from time to time, give to the General Assembly information of the state of the Commonwealth, and recommend to their consideration such measures as he shall judge expedient.

Convene and adjourn the Legislature.

SECT. XII. He may, on extraordinary occasions, convene the General Assembly; and in case of disagreement between the two Houses with respect to the time of adjournment, adjourn them to such time as he shall think proper, not exceeding four months.

Execution of laws.

SECT. XIII. He shall take care that the laws be faithfully executed.

Vacancy by death, &c., how supplied.

SECT. XIV. In case of the death or resignation of the Governor, or his removal from office, the Speaker of the Senate shall exercise the office of Governor, until another Governor shall be duly qualified; but in such case another Governor shall be chosen at the next annual election of Representatives, unless such death, resignation or removal shall occur within three calendar months immediately preceding such next annual election, in which case a Governor shall be chosen at the second succeeding annual election of Representatives. And if the trial of a contested election shall continue longer than until the third Monday of January next ensuing the election of Governor, the Governor of the last year, or the Speaker of the Senate, who may be in the exercise of the Executive authority, shall continue therein until the determination of such contested election, and until a Governor shall be duly qualified as aforesaid.

Contested election.

OF THE SECRETARY OF THE COMMONWEALTH.

Secretary of the Commonwealth

His duties.

SECT. XV. The Secretary of the Commonwealth shall keep a fair register of all the official acts and proceedings of the Governor, and shall when required, lay the same, and all papers, minutes and vouchers relative thereto, before either branch of the Legislature, and shall perform such other duties as shall be enjoined him by law.

ARTICLE III.

OF ELECTIONS.

Elective franchise.

SECT. I. In elections by the citizens, every white freeman of the age of twenty-one years, having resided in this State one year, and in the election district where he offers to vote, ten days immediately preceding such election, and within two years paid a State or county tax, which shall have been assessed at least ten days before the election, shall enjoy the rights of an elector; but a citizen of the United States who had previously been a qualified voter of this State, and removed therefrom, and returned, and who shall have resided in the election district, and paid taxes as aforesaid, shall be entitled to vote, after residing in the State six months: *Provided*, That white freeman, citizens of the United States, between the ages of twenty-one and twenty-two years, and having resided in the State one year, and in the election district ten days, as aforesaid, shall be entitled to vote, although they shall not have paid taxes.

How exercised.

SECT. II. All elections shall be by ballot, except those by persons in their representative capacities, who shall vote *viva voce*.

Electors' privilege.

SECT. III. Electors shall, in all cases, except treason, felony and breach or surety of the peace, be privileged from arrest during their attendance on elections, and in going to and returning from them.

ARTICLE IV.

OF IMPEACHMENT.

SECT. I. The House of Representatives shall have the sole power of impeaching.

SECT. II. All impeachments shall be tried by the Senate. When sitting for that purpose, the Senators shall be upon oath or affirmation. No person shall be convicted without the concurrence of two-thirds of the members present. Impeachment.

SECT. III. The Governor and all other civil officers under this Commonwealth, shall be liable to impeachment for any misdemeanor in office; but judgment in such cases shall not extend further than to removal from office, and disqualification to hold any office of honor, trust, or profit, under this Commonwealth; the party, whether convicted or acquitted, shall nevertheless be liable to indictment, trial, judgment and punishment, according to law.

ARTICLE V.

OF THE JUDICIARY.

SECT. I. The judicial power of this Commonwealth shall be vested in the Supreme Court, in courts of oyer and terminer and general jail delivery, in a court of common pleas, orphans' court, register's court, and a court of quarter sessions of the peace for each county; in justices of the peace, and in such other courts as the Legislature may from time to time establish. Judiciary.

SECT. II.* The judges of the Supreme Court, of the several courts of common pleas, and of such other courts of record as are or shall be established by law, shall be elected by the qualified electors of the Commonwealth in the manner following, to wit: The judges of the Supreme Court, by the qualified electors of the Commonwealth at large: The president judges of the several courts of common pleas, and of such other courts of record as are or shall be established by law, and all other judges required to be learned in the law, by the qualified electors of the respective districts over which they are to preside or act as judges: And the associate judges of the courts of common pleas by the qualified electors of the counties respectively. The judges of the Supreme Court shall hold their offices for the term of fifteen years, if they shall so long behave themselves well, (subject to the allotment hereinafter provided for, subsequent to the first election.) The president judges of the several courts of common pleas, and of such other courts of record as are or shall be established by law, and all other judges required to be learned in the law, shall hold their offices for the term of ten years, if they shall so long behave themselves well. The associate judges of the courts of common pleas shall hold their offices for the term of five years, if they shall so long behave themselves well: all of whom shall be commissioned by the Governor, but for any reasonable cause which shall not be sufficient grounds of impeachment, the Governor shall remove any of them on the address of two-thirds of each branch of the Legislature. The first election shall take place at the general election of this Commonwealth next after the adoption of this amendment, and the commissions of all the judges who may be then in office shall expire on the first Monday of December following, when the terms of the new judges shall commence. The per- Election of judges. Their tenure. How commissioned and removed. First election.

*Amendment of 1850.

sons who shall then be elected judges of the Supreme Court shall hold their offices as follows: one of them for three years, one for six years, one for nine years, one for twelve years, and one for fifteen years; the term of each to be decided by lot by said judges, as soon after the election as convenient, and the result certified by them to the Governor, that the commissions may be issued in accordance thereto. The judge whose commission will first expire shall be chief justice during his term, and thereafter each judge whose commission shall first expire shall in turn be the chief justice, and if two or more commissions shall expire on the same day, the judges holding them shall decide by lot which shall be the chief justice. Any vacancies happening by death, resignation, or otherwise, in any of the said courts, shall be filled by appointment by the Governor, to continue till the first Monday of December succeeding the next general election. The judges of the Supreme Court and the presidents of the several courts of common pleas shall, at stated times receive for their services an adequate compensation, to be fixed by law, which shall not be diminished during their continuance in office, but they shall receive no fees or perquisites of office, nor hold any other office of profit under this Commonwealth, or under the government of the United States, or any other State of this Union. The judges of the Supreme Court, during their continuance in office, shall reside within this Commonwealth, and the other judges during their continuance in office shall reside within the district or county for which they were respectively elected.

Vacancies.

Compensation.

Residence.

Common pleas.

SECT. III. Until otherwise directed by law, the courts of common pleas shall continue as at present established. Not more than five counties shall at any time be included in one judicial district organized for said courts.

Jurisdiction of Supreme Court.

SECT. IV. The jurisdiction of the Supreme Court shall extend over the State; and the judges thereof shall, by virtue of their offices, be justices of oyer and terminer and general jail delivery, in the several counties.

Jurisdiction of judges of common pleas.

SECT. V. The judges of the court of common pleas in each county shall, by virtue of their offices, be justices of oyer and terminer and general jail delivery, for the trial of capital and other offenders therein; any two of the said judges, the president being one, shall be a quorum; but they shall not hold a court of oyer and terminer or jail delivery in any county, when the judges of the Supreme Court, or any of them, shall be sitting in the same county. The party accused, as well as the Commonwealth, may, under such regulations as shall be prescribed by law, remove the indictment and proceedings, or a transcript thereof, into the Supreme Court.

Chancery powers vested in courts.

SECT. VI. The Supreme Court, and the several courts of common pleas shall, besides the powers heretofore usually exercised by them, have the power of a court of chancery, so far as relates to the perpetuating of testimony, the obtaining of evidence from places not within the State, and the care of the persons and estates of those who are *non compos mentis;* and the Legislature shall vest in the said courts such other powers to grant relief in equity, as shall be found necessary, and may, from time to time, enlarge or diminish those powers, or vest them in such other

courts as they shall judge proper, for the due administration of justice.

Quarter sessions, orphans' and registers' courts.

SECT. VII. The judges of the court of common pleas of each county, any two of whom shall be a quorum, shall compose the court of quarter sessions of the peace, and orphans' court thereof; and the register of wills, together with the said judges, or any two of them, shall compose the register's court of each county.

Writs of certiorari.

SECT. VIII. The judges of the courts of common pleas shall, within their respective counties, have the like powers with the judges of the Supreme Court to issue writs of *certiorari* to the justices of the peace, and to cause their proceedings to be brought before them, and the like right and justice to be done.

Criminal powers.

SECT. IX. The president of the court, in each circuit within such circuit, and the judges of the court of common pleas within their respective counties, shall be justices of the peace, so far as relates to criminal matters.

Registers and recorders.

SECT. X. A register's office, for the probate of wills and granting letters of administration, and an office for the recording of deeds, shall be kept in each county.

Style of process.

SECT. XI. The style of all process shall be "The Commonwealth of Pennsylvania." All prosecutions shall be carried on in the name and by the authority of the Commonwealth of Pennsylvania, and conclude "against the peace and dignity of the same."

ARTICLE VI.

OF SHERIFFS AND CORONERS.

Sheriffs and coroners.

SECT. I. Sheriffs and coroners shall, at the times and places of election of Representatives, be chosen by the citizens of each county. One person shall be chosen for each office, who shall be commissioned by the Governor. They shall hold their offices for three years, if they shall so long behave themselves well, and until a successor be duly qualified; but no person shall be twice chosen or appointed sheriff in any term of six years. Vacancies in either of the said offices shall be filled by an appointment, to be made by the Governor, to continue until the next general election, and until a successor shall be chosen and qualified as aforesaid.

OF THE MILITIA.

Militia.

SECT. II. The freemen of this Commonwealth shall be armed, organized, and disciplined for its defence, when, and in such manner as may be directed by law. Those who conscientiously scruple to bear arms, shall not be compelled to do so, but shall pay an equivalent for personal service.

OF PUBLIC OFFICERS.

Public officers, appointment and election.

SECT. III. Prothonotaries of the Supreme Court shall be appointed by the said court for the term of three years, if they so long behave themselves well. Prothonotaries and clerks of the several other courts, recorders of deeds and registers of wills, shall at the times and places of election of Representatives, be

elected by the qualified electors of each county, or the districts over which the jurisdiction of said courts extends, and shall be commissioned by the Governor. They shall hold their offices for three years if they shall so long behave themselves well, and until their successors shall be duly qualified. The Legislature shall provide by law the number of persons in each county who shall hold said offices, and how many and which of said offices shall be held by one person. Vacancies in any of the said offices shall be filled by appointments to be made by the Governor, to continue until the next general election, and until successors shall be elected and qualified as aforesaid.

Location of offices.

SECT. IV. Prothonotaries, clerks of the peace and orphans' courts, recorders of deeds, registers of wills, and sheriffs, shall keep their offices in the county town of the county in which they respectively shall be officers, unless when the Governor shall, for special reasons, dispense therewith, for any term not exceeding five years after the county shall have been erected.

OF COMMISSIONS.

Style of commissions.

SECT. V. All commissions shall be in the name and by the authority of the Commonwealth of Pennsylvania, and be sealed with the State seal, and signed by the Governor.

OF STATE TREASURER.

State Treasurer

SECT. VI. A State Treasurer shall be elected annually, by joint vote of both branches of the Legislature.

OF JUSTICES OF THE PEACE AND ALDERMEN AND OTHER OFFICERS.

Election of justices of the peace and aldermen.

SECT. VII. Justices of the peace, or aldermen, shall be elected in the several wards, boroughs and townships, at the time of the election of constables, by the qualified voters thereof, in such number as shall be directed by law, and shall be commissioned by the Governor for a term of five years. But no township, ward or borough, shall elect more than two justices of the peace or aldermen, without the consent of a majority of the qualified electors within such township, ward or borough.

Other officers.

SECT. VIII. All officers whose election or appointment is not provided for in this Constitution, shall be elected or appointed as shall be directed by law. No person shall be appointed to any office within any county who shall not have been a citizen and an inhabitant therein one year next before his appointment, if the county shall have been so long erected; but if it shall not have been so long erected, then within the limits of the county

Prohibition.

or counties out of which it shall have been taken. No member of Congress from this State, or any person holding or exercising any office or appointment of trust or profit under the United States, shall at the same time hold or exercise any office in this State, to which a salary is, or fees or perquisites are by law annexed, and the Legislature may by law declare what State offices

Incompatible offices.

are incompatible. No member of the Senate, or of the House of Representatives, shall be appointed by the Governor to any office during the term for which he shall have been elected.

OF MISBEHAVIOUR IN OFFICE.

Official terms. SECT. IX. All officers, for a term of years, shall hold their offices for the terms respectively specified, only on the condition that they so long behave themselves well; and shall be removed on conviction of misbehaviour in office, or of any infamous crime.

DUELLING.

Duelling. SECT. X. Any person who shall, after the adoption of the amendments proposed by this convention to the Constitution, fight a duel, or send a challenge for that purpose, or be aider or abettor in fighting a duel, shall be deprived of the right of holding any office of honor or profit in this State, and shall be punished otherwise in such manner as is, or may be prescribed by law; but the Executive may remit the said offence and all its disqualifications.

ARTICLE VII.

EDUCATION.

Public schools. SECT. I. The Legislature shall, as soon as conveniently may be, provide by law for the establishment of schools throughout the State, in such manner that the poor may be taught gratis.

Arts and sciences. SECT. II. The arts and sciences shall be promoted in one or more seminaries of learning.

RELIGIOUS SOCIETIES AND CORPORATIONS.

Corporations. SECT. III. The rights, privileges, immunities, and estates of religious societies and corporate bodies, shall remain as if the Constitution of this State had not been altered or amended.

Corporate restrictions. SECT. IV. The Legislature shall not invest any corporate body or individual with the privilege of taking private property for public use, without requiring such corporation or individual to make compensation to the owners of said property, or give adequate security therefor before such property shall be taken.

ARTICLE VIII.

OF THE OATH OF OFFICE.

Oath of office. Members of the General Assembly, and all officers, executive and judicial, shall be bound by oath or affirmation, to support the Constitution of this Commonwealth, and to perform the duties of their respective offices with fidelity.

ARTICLE IX.

DECLARATION OF RIGHTS.

That the general, great and essential principles of liberty, and free government may be recognized and unalterably established, WE DECLARE THAT

Rights of life, liberty, property, &c. SECT. I. All men are born equally free and independent, and have certain inherent and indefeasible rights, among which are

those of enjoying and defending life and liberty, of acquiring, possessing, and protecting property and reputation, and of pursuing their own happiness.

Power and government.

SECT. II. That all power is inherent in the people, and all free governments are founded on their authority, and instituted for their peace, safety and happiness: For the advancement of these ends, they have at all times, an unalienable and indefeasible right to alter, reform, or abolish their government, in such manner as they may think proper.

Rights of conscience, &c.

SECT. III. That all men have a natural and indefeasible right to worship Almighty God according to the dictates of their own consciences; that no man can of right be compelled to attend, erect, or support any place of worship, or to maintain any ministry against his consent; no human authority can, in any case whatever, control, or interfere with the rights of conscience; and no preference shall ever be given by law to any religious establishments, or modes of worship.

Religion.

SECT. IV. That no person who acknowledges the being of a God, and a future state of rewards and punishments, shall on account of his religious sentiments, be disqualified to hold any office, or place of trust or profit, under this Commonwealth.

Elections.

SECT. V. That elections shall be free and equal.

Trial by jury.

SECT. VI. That trial by jury shall be as heretofore, and the right thereof remain inviolate.

The press.

SECT. VII. That the printing presses shall be free to every person who undertakes to examine the proceedings of the Legislature, or any branch of Government; and no law shall ever be made to restrain the right thereof. The free communication of thoughts and opinions is one of the invaluable rights of man; and every citizen may freely speak, write and print on any subject; being responsible for the abuse of that liberty. In prosecutions for the publication of papers investigating the official conduct of officers, or men in public capacity, or where the matter published is proper for public information, the truth thereof may be given in evidence; and in all indictments for libels, the jury shall have a right to determine the law and the facts, under the direction of the court, as in other cases.

Libels.

Searches and seizures.

SECT. VIII. That the people shall be secure in their persons, houses, papers and possessions, from unreasonable searches and seizures; and that no warrant to search any place, or to seize any person or things shall issue, without describing them as nearly as may be, nor without probable cause supported by oath or affirmation.

Rights of accused in criminal prosecutions.

SECT. IX. That in all criminal prosecutions, the accused hath a right to be heard by himself and his counsel, to demand the nature and cause of the accusation against him, to meet the witnesses face to face, to have compulsory process for obtaining witnesses in his favor; and in prosecutions by indictment, or information, a speedy public trial by an impartial jury of the vicinage: He cannot be compelled to give evidence against himself, nor can he be deprived of his life, liberty, or property, unless by the judgment of his peers, or the law of the land.

Criminal informations, &c.

SECT. X. That no person shall, for any indictable offence, be proceeded against criminally by information, except in cases arising in the land or naval forces, or in the militia, when in

actual service in time of war or public danger; or by leave of the court for oppression or misdemeanor in office. No person shall for the same offence be twice put in jeopardy of life or limb; nor shall any man's property be taken or applied to public use, without the consent of his representatives, and without just compensation being made. Protection of life, &c. Immunity of property.

SECT. XI. That all courts shall be open, and every man for an injury done him in his lands, goods, person or reputation, shall have remedy by the due course of law, and right and justice administered without sale, denial, or delay. Suits may be brought against the Commonwealth in such manner, in such courts, and in such cases, as the Legislature may by law direct. Courts of justice open. Suits against State.

SECT. XII. That no power of suspending laws shall be exercised unless by the Legislature or its authority. Suspending laws.

SECT. XIII. That excessive bail shall not be required, nor excessive fines imposed, nor cruel punishments inflicted. Bail.

SECT. XIV. That all prisoners shall be bailable by sufficient sureties unless for capital offences, when the proof is evident or presumption great; and the privilege of the writ of *habeas corpus* shall not be suspended, unless when, in cases of rebellion or invasion, the public safety may require it. Prisoners. Habeas corpus.

SECT. XV. That no commission of oyer and terminer or jail delivery shall be issued. Oyer and terminer, &c.

SECT. XVI. That the person of a debtor, where there is not strong presumption of fraud, shall not be continued in prison after delivering up his estate for the benefit of his creditors, in such manner as shall be prescribed by law. Insolvent debtors.

SECT. XVII. That no *ex post facto* law, nor any law impairing contracts, shall be made. Ex post facto laws.

SECT. XVIII. That no person shall be attainted of treason or felony by the Legislature. Treason and felony.

SECT. XIX. That no attainder shall work corruption of blood, nor except during the life of the offender, forfeiture of estate to the Commonwealth; that the estates of such persons as shall destroy their own lives, shall descend or vest as in case of natural death; and if any person shall be killed by casualty, there shall be no forfeiture by reason thereof. Attainder, &c.

SECT. XX. That the citizens have a right, in a peaceable manner, to assemble together for their common good, and to apply to those invested with the powers of government, for redress of grievances, or other proper purposes, by petition, address, or remonstrance. Right of citizens to assemble.

SECT. XXI. That the right of the citizens to bear arms, in defence of themselves and the State, shall not be questioned. To bear arms.

SECT. XXII. That no standing army shall, in time of peace, be kept up without the consent of the Legislature; and the military shall, in all cases and at all times, be in strict subordination to the civil power. Military.

SECT. XXIII. That no soldier shall, in time of peace, be quartered in any house, without the consent of the owner; nor in time of war, but in a manner to be prescribed by law. Quartering troops.

SECT. XXIV. That the Legislature shall not grant any title of nobility or hereditary distinction, nor create any office, the appointment to which shall be for a longer term than during good behaviour. Titles and offices.

Emigration.

SECT. XXV. The emigration from the State shall not be prohibited.

Exception from the general powers of government.

SECT. XXVI. To guard against transgressions of the high powers which we have delegated, WE DECLARE, that every thing in this article is excepted out of the general powers of government, and shall forever remain inviolate.

ARTICLE X.

OF AMENDMENTS.

Amendments, how made.

Any amendment or amendments to this Constitution may be proposed in the Senate or House of Representatives, and if the same shall be agreed to by a majority of the members elected to each House, such proposed amendment or amendments shall be entered on their journals, with the yeas and nays taken thereon, and the Secretary of the Commonwealth shall cause the same to be published three months before the next election, in at least one newspaper in every county in which a newspaper shall be published; and if in the Legislature next afterwards chosen, such proposed amendment or amendments shall be agreed to by a majority of the members elected to each House, the Secretary of the Commonwealth shall cause the same again to be published in the manner aforesaid, and such proposed amendment or amendments shall be submitted to the people in such manner, and at such time, at least three months after being so agreed to by the two Houses, as the Legislature shall prescribe; and if the people shall approve and ratify such amendment or amendments, by a majority of the qualified voters of this State voting thereon, such amendment or amendments shall become a part of the Constitution; but no amendment or amendments shall be submitted to the people oftener than once in five years: *Provided*, That if more than one amendment be submitted, they shall be submitted in such manner and form that the people may vote for or against each amendment separately and distinctly.

ARTICLE XI.*

OF PUBLIC DEBTS.

For what the State may contract debts.

SECT. I. The State may contract debts to supply casual deficits or failures in revenues, or to meet expenses not otherwise provided for; but the aggregate amount of such debts, direct and contingent, whether contracted by virtue of one or more acts of the General Assembly, or at different periods of time, shall never exceed seven hundred and fifty thousand dollars, and the money arising from the creation of such debts, shall be applied to the purpose for which it was obtained, or to repay the debts so contracted, and to no other purpose whatever.

Amount of such debts limited.

How the money raised must be appropriated.

War debts may be contracted.

SECT. II. In addition to the above limited power, the State may contract debts to repel invasion, suppress insurrection, defend the State in war, or to redeem the present outstanding indebtedness of the State; but the money arising from the contracting of such debts, shall be applied to the purpose for which

Appropriation of the money raised.

* First amendment of 1857.

it was raised, or to re-pay such debts, and to no other purpose whatever.

Other debts prohibited.

SECT. III. Except the debts above specified, in sections one and two of this article, no debt whatever shall be created by, or on behalf of the State.

A sinking fund to be created.

SECT. IV. To provide for the payment of the present debt, and any additional debt contracted as aforesaid, the Legislature shall, at its first session, after the adoption of this amendment, create a sinking fund, which shall be sufficient to pay the accruing interest on such debt, and annually to reduce the principal thereof by a sum not less than two hundred and fifty thousand dollars; which sinking fund shall consist of the net annual income of the public works, from time to time owned by the State, or the proceeds of the sale of the same, or any part thereof, and of the income or proceeds of sale of stocks owned by the State, together with other funds, or resources, that may be designated by law. The said sinking fund may be increased, from time to time, by assigning to it any part of the taxes, or other revenues of the State, not required for the ordinary and current expenses of Government, and unless in case of war, invasion or insurrection, no part of the said sinking fund shall be used or applied otherwise than in extinguishment of the public debt, until the amount of such debt is reduced below the sum of five millions of dollars.

Of what it shall consist.

The credit of the Commonwealth not to be loaned to individuals or companies.

SECT. V. The credit of the Commonwealth shall not in any manner, or event, be pledged, or loaned to any individual company, corporation, or association; nor shall the Commonwealth hereafter become a joint owner, or stockholder in any company, association or corporation.

The Commonwealth prohibited from assuming debts.

SECT. VI. The Commonwealth shall not assume the debt, or any part thereof, of any county, city, borough or township; or of any corporation or association; unless such debt shall have been contracted to enable the State to repel invasion, suppress domestic insurrection, defend itself in time of war, or to assist the State in the discharge of any portion of its present indebtedness.

Counties, &c., prohibited from being stockholders, &c., in corporations.

SECT. VII. The Legislature shall not authorize any county, city, borough, township, or incorporated district, by virtue of a vote of its citizens, or otherwise, to become a stockholder in any company, association, or corporation; or to obtain money for, or loan its credit to any corporation, association, institution, or party.

ARTICLE XII.*

OF NEW COUNTIES.

New counties.

No county shall be divided by a line cutting off over one-tenth of its population, (either to form a new county or otherwise,) without the express assent of such county, by a vote of the electors thereof; nor shall any new county be established, containing less than four hundred square miles.

* Second amendment of 1857.

SCHEDULE

TO THE AMENDMENTS OF 1838.

That no inconvenience may arise from the alterations and amendments in the Constitution of this Commonwealth, and in order to carry the same into complete operation, it is hereby declared and ordained that

Former laws.

I. All laws of this Commonwealth, in force at the time when the said alterations and amendments in the said Constitution shall take effect, and not inconsistent therewith, and all rights, actions, prosecutions, claims and contracts, as well of individuals as of bodies corporate, shall continue as if the said alterations and amendments had not been made.

Amendments, when to take effect.

II. The alterations and amendments in the said Constitution shall take effect from the first day of January, eighteen hundred and thirty-nine.

Articles unaltered to remain as heretofore.

III. The clauses, sections and articles of the said Constitution, which remain unaltered, shall continue to be construed and have effect as if the said Constitution had not been amended.

First General Assembly.

IV. The General Assembly which shall convene in December, eighteen hundred and thirty-eight, shall continue its session as heretofore, notwithstanding the provisions in the eleventh section of the first article, and shall, at all times, be regarded as the first General Assembly under the amended Constitution.

Executive inauguration.

V. The Governor who shall be elected in October, eighteen hundred and thirty-eight, shall be inaugurated on the third Tuesday in January, eighteen hundred and thirty-nine; to which time the present executive term is hereby extended.

Expiration of commissions of judges of Supreme Court.

VI. The commissions of the judges of the Supreme Court, who may be in office on the first day of January next, shall expire in the following manner: The commission which bears the earliest date shall expire on the first day of January, Anno Domini one thousand eight hundred and forty-two; the commission next dated shall expire on the first day of January, Anno Domini one thousand eight hundred and forty-five; the commission next dated shall expire on the first day of January, Anno Domini one thousand eight hundred and forty-eight; the commission next dated shall expire on the first day of January, Anno Domini one thousand eight hundred and fifty one; and the commission last dated shall expire on the first day of January, Anno Domini one thousand eight hundred and fifty-four.

Expiration of commissions of president judges.

VII. The commissions of the president judges of the several judicial districts, and of the associate law judges of the first judicial district, shall expire as follows: The commissions of one-half of those who shall have held their offices ten years or more at the adoption of the amendments to the Constitution, shall expire on the twenty-seventh day of February, one thousand eight hundred and thirty-nine; the commissions of the other half of those who shall have held their offices ten years or more, at the adoption of the amendments to the Constitution, shall expire on the twenty-seventh day of February, one thousand eight hundred and forty-two; the first half to embrace those whose commissions shall bear the oldest date. The commissions of all the remaining judges, who shall not have held

their offices for ten years at the adoption of the amendments to the Constitution, shall expire on the twenty-seventh day of February next, after the end of ten years from the date of their commissions.

Recorders' and mayors' courts, &c.

VIII. The recorders of the several mayors' courts, and other criminal courts in this Commonwealth, shall be appointed for the same time and in the same manner as the president judges of the several judicial districts; of those now in office, the commission oldest in date shall expire on the twenty-seventh day of February, one thousand eight hundred and forty-one, and the others every two years thereafter, according to their respective dates; those oldest in date expiring first.

Classification of associate judges.

IX. The Legislature, at its first session under the amended Constitution, shall divide the other associate judges of the State into four classes. The commissions of those of the first class shall expire on the twenty-seventh day of February, eighteen hundred and forty; of those of the second class on the twenty-seventh day of February, eighteen hundred and forty-one; of those of the third class on the twenty-seventh day of February, eighteen hundred and forty-two; and of those of the fourth class on the twenty-seventh day of February, eighteen hundred and forty-three. The said classes, from the first to the fourth, shall be arranged according to the seniority of the commissions of the several judges.

Election of public officers.

X. Prothonotaries, clerks of the several courts, (except of the Supreme Court,) recorders of deeds, and registers of wills, shall be first elected, under the amended Constitution, at the election of Representatives, in the year eighteen hundred and thirty-nine, in such manner as may be prescribed by law.

Appointing power as heretofore.

XI. The appointing power shall remain as heretofore, and all officers in the appointment of the Executive Department, shall continue in the exercise of the duties of their respective offices, until the Legislature shall pass such laws as may be required by the eighth section of the sixth article of the amended Constitution, and until appointments shall be made under such laws, unless their commissions shall be superseded by new appointments, or shall sooner expire by their own limitations, or the said offices shall become vacant by death or resignation; and such laws shall be enacted by the first Legislature under the amended Constitution.

First election of aldermen and justices of the peace.

XII. The first election for aldermen and justices of the peace shall be held in the year eighteen hundred and forty, at the time fixed for the election of constables. The Legislature at its first session under the amended Constitution, shall provide for the said election, and for subsequent similar elections. The aldermen and justices of the peace now in commission, or who may in the interim be appointed, shall continue to discharge the duties of their respective offices until fifteen days after the day which shall be fixed by law for the issuing of new commissions, at the expiration of which time their commissions shall expire.

LIST OF MEMBERS AND OFFICERS

OF THE SENATE OF PENNSYLVANIA, WITH THEIR PLACES OF RESIDENCE DURING THE SESSION, AND ADDRESS DURING THE RECESS, FOR 1863.

FIRST DISTRICT—CITY OF PHILADELPHIA.

Jeremiah Nichols.....Herr's Hotel, Third and Market....Philadelphia.
Cornelius M. Donovan..Brady House, Third and State.....Philadelphia.
Jacob E. Ridgway.....Jones House, Market square.....Philadelphia.
George Connell.....Herr's Hotel, Third and Market....Philadelphia.

SECOND DISTRICT—CHESTER AND DELAWARE.

Jacob S. Serrill.....Mrs. Espy's, Front street.....Darby, Delaware county.

THIRD DISTRICT—MONTGOMERY.

John C. Smith.....Mr. Vaughn's, Second and Locust...Pottstown, Montgomery co.

FOURTH DISTRICT—BUCKS.

William Kinsey.....Mrs. O. F. Johnson's, Market street...Bristol, Bucks county.

FIFTH DISTRICT—LEHIGH AND NORTHAMPTON.

G. W. Stein.....Brady House, Third and State.....Easton, Northampton county.

SIXTH DISTRICT—BERKS.

Hiester Clymer.....Buehler House, Market square.....Reading.

SEVENTH DISTRICT—SCHUYLKILL.

Bernard Reilly.....Brady House, Third and State.....Pottsville, Schuylkill county.

EIGHTH DISTRICT—CARBON, MONROE, PIKE AND WAYNE.

Henry S. Mott.....Buehler House, Market square.....Milford, Pike county.

NINTH DISTRICT—BRADFORD, SUSQUEHANNA, SULLIVAN AND WYOMING.

William J. Turrell.....Mrs. Espy's, Front street.....Montrose, Susquehanna co.

TENTH DISTRICT—LUZERNE.

Jasper B. Stark.....Buehler House, Market square.....Wilkesbarre, Luzerne co.

ELEVENTH DISTRICT—TIOGA, POTTER, M'KEAN AND WARREN.

Stephen F. Wilson.....Herr's Hotel, Third and Market.....Wellsboro', Tioga county.

TWELFTH DISTRICT—CLINTON, LYCOMING, CENTRE AND UNION.

Henry Johnson.....Herr's Hotel, Third and Market.....Muncy, Lycoming county.

THIRTEENTH DISTRICT—SNYDER, MONTOUR, NORTHUMBERLAND AND COLUMBIA.

Franklin Bound.....Legislative Club House, Second st..Milton, Northumberland co.

FOURTEENTH DISTRICT—CUMBERLAND, PERRY, JUNIATA AND MIFFLIN.

George H. Bucher.....State Capital Hotel.....Hogestown, Cumberland co.

FIFTEENTH DISTRICT—DAUPHIN AND LEBANON.

A. R. Boughter.....Jones House, Market square.....Lebanon, Lebanon county.

SIXTEENTH DISTRICT—LANCASTER.

John A. Hiestand.....Legislative Club House, Second st...Lancaster, Lancaster co.
William Hamilton.....Mr. Vaughn's, Second and Locust...Kinzer's, Lancaster county.

SEVENTEENTH DISTRICT—YORK.

A. Hiestand Glatz.....Buehler House, Market square.....Marietta, Lancaster county.

EIGHTEENTH DISTRICT—ADAMS, FRANKLIN AND FULTON.

William M'Sherry.....State Capital Hotel.....Littlestown, Adams county.

NINETEENTH DISTRICT—SOMERSET, BEDFORD AND HUNTINGDON.

Alexander Stutzman....Herr's Hotel, Market and Third....Somerset, Somerset county.

TWENTIETH DISTRICT—BLAIR, CAMBRIA AND CLEARFIELD.

W. A. Wallace.....Mr. Wallace's, Front street.....Clearfield, Clearfield county.

TWENTY-FIRST DISTRICT—INDIANA AND ARMSTRONG.

Harry White.....Herr's Hotel, Third and Market.....Indiana, Indiana county.

TWENTY-SECOND DISTRICT—WESTMORELAND AND FAYETTE.

Smith Fuller.....Herr's Hotel, Third and Market.....Uniontown, Fayette co.

TWENTY-THIRD DISTRICT—WASHINGTON AND GREENE.

George V. Lawrence....Herr's Hotel, Third and Market.....Monongahela City, Wash. co.

TWENTY-FOURTH DISTRICT—ALLEGHENY.

John P. Penney.....Jones House, Market square.....Pittsburg.
James L. Graham.....Jones House, Market square.....Pittsburg.

TWENTY-FIFTH DISTRICT—BEAVER AND BUTLER.

Charles M'Candless.....Herr's Hotel, Third and Market.....Butler, Butler county.

TWENTY-SIXTH DISTRICT—LAWRENCE, MERCER AND VENANGO.

J. H. Robinson.....Legislative Club House, Second st...Mercer, Mercer county.

TWENTY-SEVENTH DISTRICT—ERIE AND CRAWFORD.

Morrow B. Lowry.....Mrs. Espy's, Front street.....Erie, Erie county.

TWENTY-EIGHTH DISTRICT—CLARION, JEFFERSON, FOREST AND ELK.

Charles L. Lamberton...Buehler House, Market square.....Clarion, Clarion county.

OFFICERS.

Geo. V. Lawrence, Speaker.....Herr's Hotel, Market st., Monongahela City.
George W. Hamersly, Clerk. .....Legislative Club House, Germantown, Phila. co.
Gurdon S. Berry, Assistant Clerk....Mrs. Espy's, Front street, Erie, Erie county.
J. R. M'Afee, Transcribing Clerk....Herr's Hotel, Market st., Greensburg, West'd co.
William W. Watt..do.....Herr's Hotel, Market st., Philadelphia.
O. N. Worden.....do..... Lewisburg, Union co.
W. H. Huddleson..do.....Herr's Hotel, Market st., Glen Mills, Delaware co.
Wm. P. Brady, Librarian.....Welper's, North street, Salona, Clinton county.
J. F. Cochran, Sergeant-at-Arms.....Herr's Hotel, Market st., M'Keesport, Allegheny co.
James A. Leech, Assist....do.....Jones House, Market sq., New Lebanon, Mercer co.
Samuel Dickson.....do.....Herr's Hotel, Market st.
John G. Martin, Door-keeper.....Mr. Vaughn's, 2d & Locust, Lancaster, Lancaster co.
J. B. Hinds, Assistant Door-keeper...Buehler House, Market sq'r, Myersburg, Brad'd co.
David Hunsecker, do.....do.....Mr. Vaughn's, 2d & Locust, Kinzer's, Lancaster co.
A. J. Peters.....do.....do..... Middleburg, Snyder co.
John L. Work....do.....do.....Mrs. Owens's, Ayers, Indiana county.
Jacob Zimmerman..... do.....Herr's Hotel, Market st., Butler, Butler county.
R. R. Marshall.....do.....Herr's Hotel, Market st., Somerset, Somerset co.
Joseph Riblet, Messenger.....Park House, Market st., Philadelphia.
Thomas Walker, Assistant Messenger, White Hall, Market st., Jonestown, Lebanon co.

STANDING COMMITTEES

OF THE

SENATE OF PENNSYLVANIA,

SESSION OF 1863.

Federal Relations.—Messrs. Lowry, Penney, Clymer, Johnson and Lamberton.

Finance.—Messrs. Connell, Fuller, Mott, Bound and Serrill.

Judiciary.—Messrs. Penney, Bound, Clymer, Boughter and Johnson.

Accounts.—Messrs. Serrill, Hamilton, Lamberton, Wilson and Donovan.

Estates and Escheats.—Messrs. Robinson, M'Candless, Lamberton, White and Wallace.

Pensions and Gratuities.—Messrs. Johnson, M'Candless, Donovan, Stutzman and M'Sherry.

Corporations.—Messrs. Hiestand, Nichols, Reilly, Boughter and Ridgway.

Banks.—Messrs. Fuller, Connell, Stein, Robinson and Hamilton.

Canals and Inland Navigation.—Messrs. Hamilton, Turrell, Wallace, M'Candless and Bucher.

Railroads.—Messrs. Nichols, Lowry, Glatz, Hiestand and Ridgway.

Election Districts.—Messrs. M'Candless, Stutzman, M'Sherry, Boughter and Reilly.

Retrenchment and Reform.—Messrs. Ridgway, Lowry, M'Sherry, Graham and Mott.

Education.—Messrs. Turrell, Graham, Kinsey, White and Stein.

Agriculture and Domestic Manufactures.—Messrs. Reilly, Nichols, Bucher, Kinsey and Smith.

Militia.—Messrs. White, Donovan, Lowry, Glatz and Penney.

Roads and Bridges.—Messrs. Stutzman, Bucher, Serrill, Hamilton and Stark.

Compare Bills.—Messrs. Kinsey, Smith, Wilson, Stark and Graham.

Vice and Immorality.—Messrs. Graham, Bucher, Turrell, Stein and Serrill.

Private Claims and Damages.—Messrs. Wilson, Stutzman, Donovan, Stark and White.

Library.—Messrs. Bound, Wallace and Robinson.

Public Printing.—Messrs. Robinson, Fuller, Bucher, Boughter and M'Sherry.

Public Buildings.—Messrs. Boughter, Connell and Mott.

New Counties and County Seats.—Messrs. Clymer, M'Candless, Smith, Glatz and Turrell.

LIST OF MEMBERS AND OFFICERS

OF THE HOUSE OF REPRESENTATIVES OF PENNSYLVANIA, WITH THEIR PLACES OF RESIDENCE IN HARRISBURG, DURING THE SESSION, AND THEIR ADDRESS DURING THE RECESS, FOR 1863.

1st Dist.	William Foster	Philadelphia	Brady House, Third and State.
2d	do...Thos J. Barger	do	do...do.
3d	do...Samuel Josephs	do	do...do.
4th	do...S. C. Thompson	do	Buehler House, Market sq.
5th	do...Jos. Moore, Jr.	do	Brady House, Third and State.
6th	do...Richard Ludlow	do	Buehler House, Market sq.
7th	do...Thos. Cochran	do	Jones House, Market square.
8th	do...James M. Kerns	do	do...do.
9th	do...G. A. Quigley	do	Buehler House, Market sq.
10th	do...S. S. Pancoast	do	Jones House, Market sq.
11th	do...J. W. Hopkins	do	Brady House, Third and State.
12th	do...L. V. Sutphin	do	do...do.
13th	do...F. M'Manus	Richmond, Philadelphia	Brady House, Third and State.
14th	do...A. R. Schofield,	Philadelphia	do...do.
15th	do...Wm. F. Smith,	Germantown	Jones House, Market square.
16th	do...Ed. G. Lee	Frankford	do...do.
17th	do...Jeff. J. Young.	West Philadelphia	Buehler House, Market sq.

ADAMS.

Henry J. Myers	New Chester	Omit's, Third and Walnut sts.

ALLEGHENY.

P. C. Shannon	Pittsburg	Brady House, Third and State.
A. H., Gross	Wilkins	Jones House, Market sq.
Wm. Hutchman	Perrysville	Mrs. Innes's, Market square.
A. Slack	Allegheny city	Jones House, Market square.
John Gilfillan	Upper St. Clair	Herr's Hotel, Market street.

ARMSTRONG AND WESTMORELAND.

J. A. M'Culloch	Freeport, Armstrong co.	Buehler House, Market sq.
Richard Graham	Blairsville, Indiana co	do...do.
S. Wakefield	Rostraver, Westmorel'd co.	Miss Liebrick's, Walnut st.

BEAVER AND LAWRENCE.

William Henry	Fallston, Beaver county	Jones House, Market square.
Isaiah White	Newcastle, Lawrence co	Herr's, Third and Market.

BEDFORD.

John Cessna	Bedford	Buehler's, Market square.

BERKS.

C. A. Kline	Klinesville	Buehler's, Market square.
D. K. Weidner	Reading	Vaughn's, Second and Locust.
W. N. Potteiger	Bernville	do...do.

BLAIR.

R. A. M'Murtrie	Hollidaysburg	Jones House, Market sq.

BRADFORD.

Barth. Laporte.....Asylum.....Buehler's, Market square.
Dummer Lilly.....Sylvania.....do.....do.

BUCKS.

L. B. Labar.....Point Pleasant.....Vaughn's, Second and Locust.
J. R. Boileau.....Upper Black's Eddy.....Vaughn's, Sec. and Locust sts.

BUTLER.

H. W. Grant.....Freeport.....Herr's Hotel, Market street.
H. C. M'Coy.....Anandale.....do.....do.

CAMBRIA.

C. L. Pershing.....Johnstown.....Brady House, Third and State.

CARBON AND LEHIGH.

Thos. Craig.....Lehigh Gap, Carbon co....Legislative Club House.
Samuel Camp.....New Tripoli, Lehigh co...Omit's, Third and Walnut sts.

CENTRE.

R. F. Barron.....Pinegrove Mills.....Buehler House, Market sq.

CHESTER.

P. Frazer Smith.....West Chester.....Mrs. Espy's, N. Front st.
Robt. L. M'Clellan.....Cochranville.....Jones House, Market sq
Wm. Windle.....Guthriesville.....do.....do.

CLARION AND FOREST.

Wm. T. Alexander.....Clarion, Clarion co.....Mrs. O. F. Johnson's, Market st.

CLEARFIELD, JEFFERSON, M'KEAN AND ELK.

C. R. Earley.....Kersey, Elk county.....Vaughn's, Second and Locust
T. J. Boyer.....Luthersburg, Clearfield co. Vaughn's, Second and Locust.

CLINTON AND LYCOMING.

John B. Beck.....Williamsport, Lycoming co. Omit's, Third and Walnut sts.
Amos C. Noyes.....Westport, Clinton co.....Buehler House, Market sq.

COLUMBIA, MONTOUR, WYOMING AND SULLIVAN.

Geo. D. Jackson.....Dushore, Sullivan co.....Buehler House, Market sq.
John C. Ellis.....Exchange, Montour co.....do.....do.

CRAWFORD AND WARREN.

H. C. Johnson.....Meadville, Crawford co....Miss Liebrick's, Walnut st.
W. D. Brown.....Warren, Warren county...Jones House, Market sq.

CUMBERLAND.

J. P. Rhoads.....Carlise.....Omit's, Third and Walnut.

DAUPHIN.

Jas. Freeland.....Millersburg.....Herr's Hotel, Market street.
Thos. G. Fox.....Hummelstown.....Peters's, Market street.

DELAWARE.

Chalkley Harvey.....Chaddsford.....Jones House, Market square.

ERIE.

J. P. Vincent.....Erie.....Jones House, Market square.
E. W. Twitchell.....Edinboro'.....do.....do.

FAYETTE.

Daniel Kaine.....Uniontown.....Buehler House, Market sq.

FRANKLIN AND FULTON.

Jonathan Jacoby.....Greencastle, Franklin co...Miss Allen's, N. Third street.
Wm. Horton.....Wells's Tannery, Fulton co.....do.....do.

GREENE.

Alex. Patton.....Clarksville.....Omit's, Third and Walnut sts.

HUNTINGDON.

A. W. Benedict.....Huntingdon.....Jones House, Market sq.

INDIANA.

J. W. Huston.....Minta.....Herr's Hotel, Market street.

JUNIATA, UNION AND SNYDER.

H. K. Ritter.....Selinsgrove, Snyder co....Herr's Hotel, Market street.
Geo. W. Strouse.....Mexico, Juniata co.....Herr's Hotel, Market street.

LANCASTER.

Benjamin Champneys.....Lancaster.....Mrs. O. F. Johnson's, Market st.
H. C. Lehman.....Hempfield.....Vaughn's, Second and Locust.
Nathaniel Mæyer.....Chestnut Level.....do.....do.
H. B. Bowman.....Neffsville.....do.....do.

LEBANON.

G. Dawson Coleman.....Lebanon.....Jones House, Market sq.

LUZERNE.

S. W. Trimmer.....White Haven.....Buehler House, Market sq.
Peter Walsh.....Archbald.....Vaughn's, Sec. & Locust sts.
Jacob Robinson.....Scranton.....Buehler House, Market sq.

MERCER AND VENANGO.

James C. Brown.....Greenville, Mercer co.....Jones House, Market sq.
M. C. Beebe.....Pleasantville, Venango co. Miss Liebrick's, Walnut st.

MIFFLIN.

Holmes Maclay.....Milroy.....Brady House, Third and State.

MONROE AND PIKE.

G. H. Rowland.....Westfall, Pike county.....Buehler House, Market sq.

MONTGOMERY.

George W. Wimley.....Limerick Square.....Buehler House, Market sq.
Joseph Rex.....Three Tons.....Vaughn's, Sec. and Locust.
H. C. Hoover.....Penn Square.....Miss Allen's, N. Third street.

NORTHAMPTON.

D. H. Neiman.....Easton.....Buehler House, Market sq.
Aaron Hess.....Mt. Bethel.....Vaughn's, Sec. & Locust sts.

NORTHUMBERLAND.

J. Woods Brown.....Milton.....Brady House, Third and State

PERRY.

John A. Magee.....New Bloomfield.....Omit's, Third and Walnut.

POTTER AND TIOGA.

A. G. Olmstead.....Coudersport, Potter co....Herr's Hotel, Market st.
C. O. Bowman.....Knoxville, Tioga co.....Miss Liebrick's, Walnut st.

SCHUYLKILL.

Adam Wolf.....Tremont.....Vaughn's, Sec. and Locust.
Edward Kerns.....Orwigsburg.....Brady House, Third and State.
Conrad Graber.....Tuscarora.....Vaughn's, Sec. and Locust.

SUSQUEHANNA.

D. D. Warner.....Montrose.....Miss Allen's, Third and State.

SOMERSET.

C. C. Musselman.....Somerset.....Herr's Hotel, Market street.

WASHINGTON.

William Hopkins.....Washington.....Buehler House, Market sq.
Wm. Glenn.....Florence.....Mrs. Johnson's, Market street.

WAYNE.

Wm. M. Nelson.....Equinunk.....Buehler House, Market sq.

YORK.

Joseph Dellone.....Hanover.....Brady's, Third and State st.
A. C. Ramsay.....Peach Bottom.....Buehler House, Market sq.

OFFICERS.

Speaker.....John Cessna.....Bedford.....Buehler's, Market sq.
Clerk.....J. Ziegler.....Butler.....Omit's, 3d & Walnut.
Assistant Clerk.....R. M. Speer.....Huntingdon.....Buehler's, Market sq.
Bill and Petition Clerk, John A. Smull....Harrisburg.....Pine st., below 3d.
Transcribing Clerk.....Wm. S. Gregory, Philadelphia.....Brady House
do. do....Wm. S. Ralston...Freeport.....Buehler's, Market sq.
do. do....H. C. Keyser,.....Chambersburg.....Miss Allen's, 3d st.
do. do....A. J. Sanderson...Lancaster.....Omit's, 3d & Walnut.
Post Master,.....A. J. Gerritson....Montrose.....Buehler's, Market sq.
Assistant Post Master..C. T. Huston.....Williamsport.....Brown's, Filbert street.
Sergeant-at-Arms.....B. F. Kelley.....Philadelphia.....Brady House.
Assistant. do.....Jacob Paul.....Northumberland...Buehler's, Market sq.
do. do.....Benj. Bennett.....Montoursville.....Omit's, 3d & Walnut.
do. do.....Jos. Gerard.....Carmichaels..... do. do.
do. do.....W. W. M'Clellan, Leatherwood.....White Hall.
Door-Keeper.....Sebastian Leiber..Reading.....Pennsylvania House.
Assistant Door-Keeper, Geo. W. Long.....Greensburg.....U. S. Hotel.
do. do.....Jno. W. Wilson...M'Call's Ferry....White Hall.
do. do.....Jas. T. Spicer.....Philadelphia.....Brady House.
do. do.....Moses T. Fox.....Lumberville.....Pennsylvania House.
Messenger,.....James R. Templin, Easton.....Brady House.
Assistant Messenger....Amos Robbins....Philadelphia..... do. do.
do. do.....Jno. G. Wright..Millview.....Buehler's, Market sq.
do. do.....M. J. Philbin.....Pittston.....Pennsylvania House.
do. do.....Fred. Scmidt.....Mauch Chunk..... do. do.

STANDING COMMITTEES

OF THE

HOUSE OF REPRESENTATIVES,

SESSION OF 1863.

Ways and Means.—Messrs. Hopkins, (Washington,) Neiman, Smith, (Chester,) Ludlow, Craig, Jackson, Thompson, Kaine, Brown, (Northumberland,) Beebe, Pershing, Olmstead, Cochran, M'Murtrie and Laporte.

Judiciary System, (General.)—Messrs. Kaine, Barger, Vincent, Champneys, Shannon, Pershing, Brown, (Northumberland,) Ludlow, Rhoads, Johnson and Brown, (Warren.)

Judiciary System, (Local.)—Messrs. Brown, (Northumberland,) Ludlow, Cochran, M'Culloch, Glenn, Magee, Benedict, M'Murtrie and Bowman, (Tioga.)

Pensions and Gratuities.—Messrs. M'Manus, Earley, Windle, Boileau, Bowman, (Lancaster,) Ellis, Graber, Potteiger, Fox, White and Huston.

Claims.—Messrs. Beck, Nelson, Boyer, Smith, (Philadelphia,) Rex, Josephs, M'Manus, Graham, Myers, Grant, Freeland, Strouse and Lilly.

Agriculture and Manufactures.—Messrs. Weidner, M'Clellan, Ellis, Gross, Hutchman, Hess, Ritter, Walsh and Hoover.

Education.—Messrs. Earley, Wakefield, Twitchell, Rowland, Horton, Jacoby, Grant, Boileau, Hess, Kline, Bowman, (Tioga,) Benedict, M'Clellan, Lilly and Henry.

Accounts.—Messrs. Rowland, Patton, Laporte, Fox, M'Clellan, Kerns (Schuylkill) and Kline.

Vice and Immorality.—Messrs. Wakefield, Bowman, (Lancaster,) Barron, Sutphin, Graber, Ellis and Warner.

Militia System.—Messrs. Jackson, Magee, Champneys, Wimley, Johnson, Kaine, Shannon, Glenn, Vincent, Myers, Coleman, Ritter, Alexander, Lee and Ramsay.

Election Districts.—Messrs. Rex, Barron, Windle, Labar, Camp, Foster, Graber, Musselman and Lehman.

Banks.—Messrs. Wimley, Beck, Gross, Craig, Quigley, Hopkins, (Philadelphia,) Josephs, Moore, Rhoads, Brown, (Mercer,) Wolf, Walsh, M'Culloch, Lehman and Maclay.

Estates and Escheats.—Messrs. Rhoads, Glenn, Brown, (Warren,) Nelson, M'Murtrie, Wolf, Cochran, Hoover and Beebe.

Roads, Bridges and Canals.—Messrs. Hoover, Graham, Hutchman, Potteiger, M'Coy, Labar, Trimmer, Noyes, Kerns, (Schuylkill,) Foster, Maeyer, Warner, Camp and Gilfillan.

Corporations.—Messrs. Quigley, Trimmer, Olmstead, Young, Barger, Brown, (Mercer,) Noyes, Rowland, Henry, Boyer, Dellone, Schofield, Brown, (Warren,) Kerns (Philadelphia) and Sutphin.

New Counties and County Seats.—Messrs. Twitchell, Noyes, Barron, White, Beebe, Boileau, Gilfillan, Freeland, Maeyer, Robinson, Hess, Horton and Jacoby.

Compare Bills.—Messrs. Kline, M'Coy, Patton, Robinson and Hutchman.

Library.—Messrs. Grant, Wakefield, Alexander, Horton and Kerns (Philadelphia.)

Railroads.—Messrs. Thompson, Jackson, Smith, (Chester,) Barger, Craig, Coleman, M'Manus, Young, Walsh, Rex, Johnson, Earley, Benedict, Smith (Philadelphia) and Harvey.

City Passenger Railroads.—Messrs. Hopkins, (Philadelphia,) Young, Moore, Quigley, Josephs, Smith, (Philadelphia,) Graham, Weidner, Lee, Brown, (Mercer,) Pancoast, Schofield, Kerns, (Philadelphia,) Dellone and Slack.

Mines and Minerals.—Messrs. Wolf, Labar, Dellone, Jacoby, Potteiger, Musselman, Strouse, Maclay, Warner, Maeyer, White, Camp, Robinson, Huston and Harvey.

Printing.—Messrs. Neiman, Magee, Windle, Alexander and Twitchell.

Public Buildings.—Messrs. Ramsay, Kerns (Schuylkill) and Freeland.

Federal Relations.—Messrs. Pershing, Nelson, Champneys, Neiman, Gross, Trimmer, Smith, (Chester,) Shannon, Myers, Hopkins, (Washington,) Schofield, Henry, Olmstead, Thompson and Vincent.

Divorces.—Messrs. Boyer, M'Culloch, M'Coy, Weidner, Bowman, (Tioga,) Patton, Strouse, Pancoast, Ramsay, Ritter and Slack.

JOINT RULES

OF THE

SENATE AND HOUSE OF REPRESENTATIVES

OF THE

COMMONWEALTH OF PENNSYLVANIA,

ADOPTED SESSION OF 1863.

RULE 1. All bills, resolutions, votes and amendments of either House, to which concurrence of both is necessary, as well as messages, shall be presented to the other by the Clerk of the House from which they are sent.

RULE 2. When the Clerk of either House shall wait on the other, notice thereof shall be given by the Sergeant-at-Arms, or Door-keeper, to the Speaker, who shall declare the same to the House.

RULE 3. When either House shall request a conference, and appoint a committee for that purpose, and the other House shall also appoint a committee to confer, such conference shall be held at any time and place to be agreed upon by their chairman; and in all cases where a conference takes place, the committee shall be composed of members who voted in the majority, on the point or points of difference; but the committee shall not have power or control over any part of a bill or resolution, except such parts upon which a difference exists between the two Houses.

RULE 4. No bill shall be passed by either House, containing more than one subject, which shall be clearly expressed in the title, except appropriation bills, and bills regulating election districts, or granting pensions and gratuities.

RULE 5. No bill shall be passed by either House, granting any powers or privileges in any case where the authority to grant such powers or privileges has been conferred upon any of the courts of this Commonwealth.

RULE 6. Whenever a claim against the State, of any description, has been or shall be presented to either House, and referred to a committee, and such committee shall have made a report, in writing, against the allowance of the claim, setting forth the grounds of their decision, and the same shall have been concurred in by such House, it shall not be in order to originate again the consideration of such claim in that House, either by bill, resolution, petition or otherwise, except upon a memorial of the claimant, first setting forth, upon affidavit, that he has obtained material evidence in support of his claim, since the decision against it, which was not before the committee at the former decision, and a statement of the substance of such evidence; or, second, assigning specific errors in the report of the committee adverse to it.

RULE 7. When a bill or resolution which shall have passed in one House is rejected in the other, notice thereof shall be given to the House in which the same shall have passed.

RULE 8. That the committee having charge of the general appropriation bill, shall be required to report the same to the House, on or before the first Monday of March, and, when reported in either House, said bill shall have priority over all other business until finally disposed of.

RULE 9. No new private bill shall be transmitted from or received by either House, within three days of the time fixed on for an adjournment *sine die*.

RULE 10. No bill or resolution, to which the signature of the Governor may be required, shall be passed by either House on the day of the final adjournment; and all such bills or resolutions, after they have been duly transcribed and compared, shall be presented to the Governor for his signature, by the proper committee, before eight o'clock in the morning of the day of the final adjournment.

RULE 11. No bill or resolution shall be sent to the Governor for his approval, unless the same shall have been clearly and fairly engrossed, without obliteration or interlineation.

RULE 12. No joint rule shall be dispensed with, but by a concurrent vote of two-thirds of each House; and if either House shall violate a joint rule, the question of order may be raised in the other House, and decided in the same manner as in a case of the violation of the rules of such House; and if it shall be decided that the joint rules have been violated, the bill involving such violation shall be returned to the House in which it originated, without further action, or, at the option of such House, the Speaker may direct the Clerk to mark the section or sections in conflict with the rules, as non-concurred in or negatived.

RULES

FOR THE GOVERNMENT OF THE

SENATE OF PENNSYLVANIA.

I. The Speaker shall take the chair, each day, at the hour to which the Senate stands adjourned, when he shall call the members to order, and on the appearance of a quorum, shall cause the Journal of the preceding day to be read, which the Senate shall have power then to correct.

II. The order to be observed in taking up business shall be as follows:

First.—The asking leave of absence.

Second.—The receiving of petitions, memorials, remonstrances, letters and documents from members in the numerical order of Senatorial districts, and referring the same to appropriate committees, on motion, referring such as have been previously presented; and appointing additional members on committees.

Third.—The receiving of reports of committees, which shall be called for by the Speaker, according to the order of the committees.

Fourth.—The reading of bills in their places by members.

Fifth.—The offering of original resolutions.

Sixth.—The considering of reports and resolutions previously presented, and the referring of items of unfinished business.

Seventh.—The reading of bills the third time.

Eighth.—The considering of bills in the following order:

First.—Those in which the Senate has made progress on a second reading.

Second.—Those in which the committee of the whole has made some progress, and has had leave to sit again.

Ninth.—The considering of the Orders of the Day.

Tenth—The considering of bills upon which no order has been taken.

III. It shall be the duty of the Speaker to preserve order, prevent personal reflections, confine members in debate to the question, and when two or more members rise at the same time, decide who shall be first heard; but an appeal in all such cases shall lie to the Senate, and a member called to order may extenuate or justify.

IV. Members speaking shall address the Speaker, and when presenting a paper, shall first state its import. Members shall not speak more than twice on any question without permission of the Senate, nor be interrupted when speaking, except by a call to order by the Speaker, or by a member through the Speaker, or by a member to explain, or by a call for the previous question.

V. When a motion is made and seconded, it shall, before debate, be stated by the Speaker. Every motion shall be reduced to writing, if the Speaker or any member require it; but a motion may be withdrawn by the member making it, before amendment, postponement, an order to lie on the table, or decision.

VI. Every motion shall be entered on the Journal, together with the names of the members making and seconding it, unless it should be subsequently withdrawn.

VII. A question regularly before the Senate can be interrupted only by a call for the previous question, for amendment, postponement, commitment or adjournment.

VIII. A motion to adjourn shall always be in order, excepting when on the call for the previous question, the main question shall have been ordered to be now put, or when a member has the floor, and shall be decided without debate.

IX. The motion for the previous question, postponement, or commitment shall preclude amendment and debate on the original subject (a motion to postpone shall preclude commitment.) The previous question shall not be moved by less than four members.

X. On all questions the Speaker shall vote last.

XI. Acts, addresses, and joint resolutions, shall be signed by the Speaker; and writs, warrants, and subpœnas, issued by the Senate, shall be signed by him, and attested by the Clerk.

XII. The Speaker shall have the general direction of the Hall. He may name a member to perform the duties of the chair, but such substitution shall not extend beyond an adjournment.

XIII. When a question has been once made and carried in the affirmative or negative, it shall be in order for any two members of the majority, or when the Senate has been equally divided, for any two who voted in the negative, to move for the re-consideration thereof; but no motion for the re-consideration of any vote shall be in order, after a bill, resolution, report, amendment, or motion, upon which the vote was taken, shall have gone out of the possession of the Senate; nor shall any motion for re-consideration be in order, unless made on the same day on which the vote was taken, or within the next five days of actual session of the Senate thereafter; and such motion shall take precedence of all other questions, except a motion to adjourn, and no member shall speak on the question more than once, or for a longer time than five minutes. [*Adopted January* 15, 1851.]

XIV. Every bill shall receive three readings previous to its being passed, which readings shall be on different days.

XV. No amendment shall be received by the Speaker, which destroys the general sense of the original section, clause or paragraph.

XVI. No debate shall be allowed on questions of order, unless there be an appeal, or reference by the Speaker to the Senate. And on such appeal or reference, no member shall speak more than once, unless by leave of the Senate.

XVII. On filling up blanks, the question shall first be taken on the largest sum, greatest number, and most distant day.

XVIII. All bills shall be considered by a committee of the whole.

XIX. All committees shall be appointed by the Speaker, unless otherwise ordered by the Senate.

XX. The following standing committees shall be appointed at the commencement of each session, until otherwise ordered:

A Committee on Finance.
A Committee on the Judiciary.
A Committee on Accounts.
A Committee on Estates and Escheats.
A Committee on Pensions and Gratuities.
A Committee on Corporations.
A Committee on the Library.
A Committee on Banks.
A Committee on Canals and Inland Navigation.
A Committee on Railroads.
A Committee on Election Districts.
A Committee on Retrenchment and Reform.
A Committee on Education.
A Committee on Agriculture and Domestic Manufactures.
A Committee on Public Buildings.
A Committee on the Militia.
A Committee on Roads and Bridges.
A Committee to Compare Bills.
A Committee on Vice and Immorality.
A Committee on Private Claims and Damages.
A Committee on Public Printing.
A Committee on New Counties and County Seats.
A Committee on Federal Relations.*

Which several committees shall each consist of five Senators, except the Committees on the Library and on Public Buildings, which shall each consist of three Senators. [*Adopted February* 3, 1852.]

XXI. Every member of a committee shall attend the call of the chairman, who shall be the first named person on such committee; and in case of his neglect to call the committee together, or in case of his absence, by sickness or other cause, the committee shall attend the call of the next person named on the committee.

XXII. The rules and proceedings of the Senate shall be observed, as far as hey are practicable, in committee of the whole, excepting that a member may speak oftener than twice on the same subject. In committee of the whole he previous question cannot be called, the yeas and nays required, nor can here be an appeal from the decision of the chairman.

XXIII. No member shall absent himself without leave of the Senate first obtained, unless prevented from attending by sickness or other sufficient cause

* Adopted Session of 1861.

XXIV. The files of the Senate may be inspected by the members, but no paper shall be withdrawn therefrom without the consent of the Senate.

XXV. No person shall be admitted within the bar of the Senate during its sessions, except the members and officers of the two branches of the Legislature, the Governor, Heads of Departments, ex-members of the Legislature, and stenographers, who may desire to report proceedings of the Senate for publication, under the direction of the Speaker; nor shall any person be admitted within the lobby of the Senate, except such as shall be invited by a member of the Senate. No person or persons shall be permitted to occupy the seats of Senators, or pass across the floor of the Senate when the Senate is in session; nor shall any person or persons, at any time, be permitted to enter the room of the Transcribing Clerks, or the recess behind the chair of the Speaker, except the members and officers of the General Assembly.

XXVI. The consent of two-thirds of the members present shall be necessary to dispense with any rule.

XXVII. Any Senator may call for the division of a question, which shall be divided if it comprehends questions so distinct, that one being taken away the rest may stand entire for the decision of the Senate. A motion to strike out and insert, shall be deemed indivisible. But a motion to strike out being lost, shall preclude neither amendment, nor a motion to strike out and insert.

XXVIII. Every bill and joint resolution which may be received from the House of Representatives, or which may be read by a Senator in his place, shall immediately after being presented to the chair, be referred by the Speaker to the appropriate committee, unless otherwise ordered.

XXIX. No member shall read in his place, nor shall any committee, either standing or select, report any bill for the action of the Senate, granting corporate powers in any case when the authority of granting such powers has been conferred upon any of the courts of this Commonwealth.

XXX. When the Senate shall resolve to go into committee of the whole on a bill, on third reading, the question before the Senate, when the Speaker shall have resumed the chair, and the chairman of the committee has made a report, shall be, "Will the Senate agree to the report of the committee?" [*Adopted March* 6, 1851.]

XXXI. The rules of parliamentary practice comprised in Jefferson's Manual, shall govern the Senate in all cases to which they are applicable, and in which they are not inconsistent with the standing rules and orders of the Senate, and the joint rules of the Senate and House of Representatives.

XXXII. A call of the Senate may be demanded by not less than four members, a quorum of the Senate being present. Upon a call of the Senate, the names of the members shall be called over by the Clerk, and the absentees noted; after which the names of the absentees shall again be called over, and those for whom no excuse, or an insufficient excuse is made, may, by order of a majority of a quorum, be taken into custody as they appear, or may be sent for and taken into custody wherever to be found, by special messengers to be appointed for that purpose.

XXXIII. When a call for the previous question has been made and sustained, the question shall be upon pending amendments, and the main question in their regular order; and all incidental questions of order arising after

a motion for the previous question has been made, and pending such motion, shall be decided, whether an appeal or otherwise, without debate. [*Passed session of* 1844. *Sen. Journal, p.* 7.]

XXXIV. That no bill originating in the Senate, or being introduced from the House of Representatives, shall be considered by the Senate without unanimous consent, unless it shall have been previously referred to a standing or select committee.

XXXV. At any time after the expiration of five days from the time when any nomination shall be made by the Governor for the approval of the Senate, any Senator may move, when original resolutions are in order, that the Senate go into committee of Executive business, and, on the motion being agreed to, such nomination shall be considered the first order of the day until finally disposed of, unless the same shall be postponed by a majority of the Senate, but such business when commenced, shall not be postponed for more than five days, except in case of an adjournment of the body for a longer period.

XXXVI. A proposition requesting information from the Governor, from any of the executive departments, or the Board of Canal Commissioners, shall lie one day on the table for consideration, unless otherwise ordered by unanimous consent of the Senate.

XXXVII. That it shall require a vote of two-thirds of the Senators to discharge a standing committee from the consideration of any bill or resolution which has been committed to it. [*Passed session of* 1862. *Sen. Journal, p.* 312.]

DECISIONS

OF THE

SENATE OF PENNSYLVANIA,

ON POINTS OF ORDER.

The Senate decided that the previous question having been called on the pending question of a bill and not sustained, could be called again on the same day. [*Senate Journal*, 1844, *p.* 690.]

Decided it in order, without asking leave of the Senate, to make a motion to re-consider the vote negativing a bill on its final passage, when the order for the third reading of bills had been reached. [*Senate Journal*, 1844, *p.* 836–7.]

Not in order to amend amendments made by the House of Representatives, to amendments made by Senate, to a bill from the House of Representatives. [*Senate Journal*, 1844, *p.* 935–6.]

The Senate decided that when bills on first reading being the pending order, it was not in order to proceed to the consideration of a bill not first in *numerical* order, without dispensing with the orders of the day. [*Senate Journal*, 1845, *p.* 169, 170.]

The Speaker, when a motion to re-consider a vote on the Executive nomination for president judge was pending, decided that the question was not debatable. [*Senate Journal*, 1847, *p.* 337.]

The Speaker decided that a bill to remove the seat of justice of a county, was a private bill. From which decision an appeal was taken, and the decision sustained by the Senate. [*Senate Journal*, 1848, *p.* 280.]

The Speaker decided that the defeat of the first section of a bill did not necessarily involve the defeat of the whole bill, should there be more than one section in such bill, and where such section or sections are sensible, and independent of said first section. From which decision an appeal was taken, and the decision of the Speaker sustained by the Senate. [*Senate Journal*, 1848, *p.* 566.]

A motion for postponement being before the Senate, the previous question was called. The Speaker decided that if the call was sustained, the first question would be on the motion to postpone, and not on the bill pending. From which decision an appeal was taken, and the decision reversed by the Senate. [*Senate Journal*, 1850, *p.* 255, 269.]

Amendments made by the House of Representatives (consisting of two new sections) to amendments made by the Senate, to a bill from the House of Representatives, having been concurred in by the Senate, a motion was made to amend those amendments, by adding a new section. The Speaker decided the motion to be not in order. From which an appeal was taken, and the decision sustained by the Senate. [*Senate Journal*, 1850, *p.* 549.]

1. Has the Speaker of this body a right to rule the first section of a bill on second reading out of order, on account of its having been inserted in committee of the whole, by an alleged violation, on the part of the chairman, of the fourth joint rule?

2. The Wetherill divorce case having been negatived in Senate, is it in order, in the face of objection under parliamentary laws, to re-introduce and consider the same proposition, either in Senate or in committee, under the fourth joint rule?

The Speaker declining to decide the above points of order, submitted the same to the Senate; and both were decided in the negative. [*Senate Journal*, 1850, *pages* 994, 1000 *and* 1001.]

The Speaker having decided it to be in order to introduce and proceed to the consideration of a bill, a similar bill having been already negatived by the Senate, an appeal was taken, and the decision was reversed by the Senate, [*Senate Journal*, 1850, *p.* 1150.]

The Speaker decided that the committee to whom a bill had been referred, had full power over the same, except that it could not change the title or subject thereof. Undecided. [*Senate Journal*, 1857, *p.* 842.]

The Speaker decided that bill, entitled "An Act to give jurisdiction in equity to the Supreme Court and courts of common pleas for the county of Philadelphia, in cases of disputed boundaries," (the said bill referring only to disputed boundaries in Philadelphia county,) was a private bill. The Senate sustained the decision. [*Senate Journal*, 1858, *p.* 590.]

The Speaker decided that the proper motion after the chairman of the committee of the whole had reported the first section of a bill negatived, was, "Will the Senate adopt the report of the committee of the whole?" [*Senate Journal*, 1861, *p.* 248.]

The Speaker decided that in concurring in amendments made by the House of Representatives, it was in order for the Senate to amend the title to correspond with the amendment made by the House of Representatives. [*Senate Journal*, 1861, *p.* 254.]

A bill having been reported from a committee at a morning session, a resolution was passed fixing sessions for the afternoon and evening, for the consideration of said bill. The bill passed committee of the whole at the afternoon session, and upon a motion being made, at the evening session, to proceed to the second reading and consideration of the same, a question of order was raised, to wit: That the bill having been read once that day, it was not in order to proceed to its second reading, without a suspension of the rule that prohibits the reading of bills twice on the same day. The Speaker decided the point of order not well taken. The Senate sustained the decision. [*Senate Journal*, 1861, *pages* 323 *and* 324.]

The Speaker decided it to be in order to proceed to the consideration of a bill to prohibit the importation of fish into Philadelphia, and ports adjacent, at improper seasons, at an afternoon session set apart for the consideration of private bills. [*Senate Journal*, 1861, *p.* 546.]

The Speaker decided that it was not in order to go into committee of the whole (the bill being on third reading) for the purpose of striking out an amendment that had been inserted on second reading. [*Senate Journal*, 1861, *p.* 547.]

The resolution relative to the abolition of slavery in the District of Columbia, being before the Senate, the Speaker decided that an amendment striking out all after the enacting clause, and inserting the words as follow, viz: "That the energies of the government should be devoted to the suppression of the existing rebellion, and to the maintenance of the Union and the Constitution, and it is inexpedient at this time for Congress to legislate upon the subject of abolishing negro servitude, either in State, Territory or the District of Columbia; and that our Senators in Congress be and they are hereby instructed, and our Representativs requested, to vote for such legislation as will best carry out the spirit and meaning of the foregoing resolution," was not in order. [*Senate Journal*, 1862, *p.* 283.]

The bill, entitled "An Act to repeal the act, approved March 7, 1861, entitled 'An Act for the commutation of tonnage duties,'" being under consideration, the Senator from Northumberland (Mr. Bound) moved to amend the first section of the bill, by striking out all after the enacting clause, and inserting in lieu thereof as follows, viz:

"That on and after the first day of July, A. D. 1862, there shall be levied upon all the tonnage of this Commonwealth, whether passing through or transported from any part of the State, two and a half cents per ton upon all the products of mines, forests and farms, and five cents per ton upon all merchandise; and the railroad, canal and slackwater navigation companies upon which such tonnage shall be first received, shall collect, for the use of the Commonwealth, all such duties as hereinbefore directed, and pay the same, quarterly, to the State Treasurer; and the revenues derived from tonnage duties shall be applied exclusively to the payment of any debt or debts now contracted, or hereafter to be contracted, by this State, for its own defence, or to sustain the National Government in prosecuting the war to maintain the unity of the Republic, until such debt or debts shall be cancelled; and so much of the act approved 16th of May, A. D. 1861, entitled 'An Act to provide for the payment of the members, officers and contingent expenses of the extra session of the Legislature,' as imposes a special tax upon the taxable property of this State, of one half mill on the dollar, be and the same is hereby repealed."

On the question,

Will the Senate agree so to amend?

The Senator from Allegheny (Mr. Penney) raised a question of order, "on the ground that the amendment was inconsistent with the section, and changed its entire meaning, and that it also changed a bill from a private to a public bill, of a wholly different character."

The Speaker decided the point of order to be not well taken. From this decision an appeal was taken by Mr. Penney and Mr. Clymer. The Senate sustained the decision of the chair. [*Senate Journal*, 1862, *p.* 609.]

SAME DAY IN THE EVENING.—The question recurring on the proposed amendment of the Senator from Northumberland (Mr. Bound,)

A motion was made by Mr. Penney and Mr. Irish,

To amend the amendment, by adding to the end thereof as follows, viz:

"And that so much of the act of Assembly, approved the 7th day of March, 1861, entitled 'An Act for the commutation of tonnage duties,' as releases any railroad companies in this Commonwealth from the payment of any

moneys due the Commonwealth for tonnage duties, at the time of the passage of said act, be and the same is hereby repealed."

The Senator from Franklin (Mr. M'Clure) raised a question of order, on the proposed amendment to the amendment.

The Speaker decided the point to be well taken, and ruled the amendment to the amendment to be out of order. No appeal was taken from the decision of the chair. [*Senate Journal*, 1862, *p.* 610.]

The first section of a bill, entitled "An Act to tax tonnage on transportation, and the gross receipts of certain corporations," being under consideration, a motion was made to amend the bill, by striking therefrom all after the enacting clause, and inserting the following, viz: "That the act, entitled 'An Act for the commutation of tonnage duties,' approved 7th day of March, A. D. 1861, be and the same is hereby repealed." The Speaker decided the amendment to be out of order, from which an appeal was taken. The Senate sustained the decision. [*Senate Journal*, 1863, *p.* 743.]

RULES FOR THE GOVERNMENT

OF THE

HOUSE OF REPRESENTATIVES

OF THE

COMMONWEALTH OF PENNSYLVANIA.

OF THE DUTIES OF THE SPEAKER.

Taking the chair

1. He shall take the chair at the hour to which the House shall have been adjourned, and immediately call the members to order, and, on the appearance of a quorum, shall cause the Journal of the preceding day to be read, which may then be corrected by the House.

Order and decorum.

2. He shall preserve order and decorum, and in debate shall prevent personal reflections, and confine members to the question under discussion. When two or more members rise at the same time, he shall name the one entitled to the floor.

Of questions of order.

3. He shall decide all questions of order. An appeal from his decision shall be made by two members, or the Speaker may, in the first instance, submit the question to the House. On questions of order, there shall be no debate, except on an appeal from the decision of the Speaker, or on reference of a question by him to the House, when no member shall speak more than once, unless by leave of the House; all decisions upon questions of order shall be noted by the Clerk, and placed at the end of the Journal of each session, with a reference to the decision as stated in the Journal.

Questions of order to be reported.

Behaviour of members.

4. While the Speaker is putting a question, or addressing the House, none shall walk out of or across the House; nor in such case, or when a member is speaking, shall entertain private discourse, nor while a member is speaking, shall pass between him and the chair.

Appointment of committees.

5. The Speaker shall appoint the members of standing and select committees, unless otherwise ordered by the House.

Signature of Speaker.

6. Acts, addresses and joint resolutions, shall be signed by the Speaker; and writs, warrants and subpœnas, issued by the House, shall be signed by him and attested by the Clerk.

Care of the Hall.

7. He shall have a general direction of the Hall. He may name a member to perform the duties of the chair, but such sub-

stitution shall not extend beyond an adjournment, except when the Speaker obtains leave of absence, in which case he may depute a member as Speaker *pro tempore*, during such leave, which shall not exceed ten days.* Substitution.

OF THE ORDER OF BUSINESS.

8. After the reading of the Journal, the order of business shall be as follows: Order of business

1st. Letters, petitions, memorials, remonstrances and accompanying documents, may be presented and referred. Of petitions, &c.

2d. Original resolutions may be offered; items of unfinished business may be referred; leave of absence, and leave to withdraw petitions and documents may be asked; and motions to appoint additional members of committees may be made. Original resolutions, &c.

3d. Reports of committees may be made. Reports of committees.

1. From standing committees.

2. From select committees.

4th. Bills may be read in place. Bills.

5th. Bills on a third reading.

6th. Reports and resolutions may, on motion, be considered. Reports and resolutions.

7th. Of bills.

1. Those in which the House has made progress, on a second reading. Order in taking up bills.

2. Those reported by a committee of the whole.

3. Those in which the committee of the whole has made progress, and has leave to sit again.

4. Bills not yet considered in committee of the whole shall be taken up.

9. Petitions and documents shall be presented only on Mondays and Thursdays. And after the eighth day of February, resolutions shall only be offered on Wednesdays and Saturdays.

10. If a member shall have several petitions or documents to present on the same day, he may present them together; provided he shall present a written list of them to the Speaker.† Manner of presenting petitions

11. Bills in place shall be read, and petitions and remonstrances shall be presented to the House in the alphabetical order of the names of the several counties of the Commonwealth, as announced by the Speaker.‡ But if all the names of the counties are not severally called, those omitted shall be first announced in alphabetical order, when said rules shall be next resumed on any subsequent day. Alphabetical order.

OF BUSINESS AND DEBATE.

12. No member shall be permitted to make a motion, or address the Speaker, unless such member shall be at his own desk. Of motions, &c.

13. When a member is about to speak in debate, or to communicate any matter to the House, he shall rise, and respect- Manner of addressing the House.

*The Speaker can, under this rule, before the hour to which the House stands adjourned has arrived, name a member to perform the duties of the chair, with power to call the members to order, and preside over the deliberations. [See Journal, 1826–7, page 490; 1827–8, page 520.]

†Adopted 29th January, 1834. ‡Adopted 13th January, 1834.

fully address himself to "Mr. Speaker," confining his remarks to the subject before the House, and avoiding personal reflections.

Transgression of the rules of the House.

14. If any member, in debate, transgress the rules of the House, the Speaker shall, or any member may, through the Speaker, call him to order; the member so called to order shall immediately sit down, unless permitted to explain; the House shall, if appealed to, decide on the case, but without debate; if there be no appeal, the decision of the Speaker shall be submitted to; and if the case require it, the member so called to order, shall be liable to the censure of the House.

Order of speaking.

15. No member shall speak more than twice on the same question, without leave of the House.

Not to be interrupted.

16. No member, when speaking, shall be interrupted, except by a call to order by the Speker, or by a member through the Speaker, or by a member to explain, or by a motion for the previous question; nor shall any member be referred to by name, in debate, unless for a transgression of the rules of the House, and then by the Speaker only.

Nor named.

Presenting petitions.

17. A member presenting a petition, or other paper, to the chair, shall state the general purport of it. The name of every member presenting a petition, or other paper, or making a motion, shall be entered on the Journal.

Name to be entered on Journal.

OF MOTIONS.

Form of putting questions.

18. All motions made and seconded, shall be repeated by the Speaker, who shall put the question distinctly, in the following form, viz:

"As many as are of opinion, (as the question may be,) say *Aye*."

Reverse.

And after the affirmative is expressed, "As many as are of the contrary opinion, say *No*."

Division of the House.

But the Speaker, or any member, may call for a division of the House, when the Speaker shall again put the question distinctly, and in the following manner, viz:

As many as are in the affirmative, will rise; and when he has announced the number in the affirmative, he shall put the opposite side of the question:

As many as are in the negative will rise.

Motions in writing.

19. If the Speaker, or any two members require it, a motion shall be written.

May be withdrawn.

It may be withdrawn by the mover and seconder, before amendment or decision, and if withdrawn, the proceeding had thereon shall be expunged from the Journal.

Division of question.

20. Any member may call for the division of a question, which shall be divided, if it comprehends questions so distinct, that one being taken away, the rest may stand entire for the decision of the House. A motion to strike out and insert, shall be deemed indivisible; but a motion to strike out being lost, shall preclude neither amendment, nor a motion to strike out and insert.*

Motion to strike out and insert indivisible.

*A motion to amend, by inserting first of January, seventeen hundred and seventy, cannot be divided to end with seventeen hundred. [Journal, 1819–20, p. 777.]

No motion can be received to postpone for the purpose of introducing a substitute. Of substitute.

OF PRIVILEGED QUESTIONS.

21. No business regularly before the House, shall be interrupted, except by a motion— Of motions and privileged questions.

For adjournment;

For the previous question, namely, "*Shall the main question be now put?*"

For postponement;

For commitment, or

For amendment.

22. A motion for adjournment shall always be in order, and shall be decided without debate, except that it cannot be received when the House is voting on another question, nor while a member is addressing the House. Of adjournment.

The previous question shall not be moved by less than twelve members rising for that purpose, and shall be determined without debate; but when the previous question has been called and sustained, it shall not cut off any pending amendment, but the vote shall be taken without debate on the amendments in their order, and then on the main question. Previous question.

A motion for postponement shall preclude commitment. A motion for commitment shall preclude amendment or decision on the original subject. Postponement. Commitment. Amendment.

23. A motion for re-consideration shall be permitted, when made and seconded by members who were in the majority on the vote on the original question, and within six days, exclusive of Sundays, after the decision. Of motions to reconsider.

24. When a blank is to be filled, the question shall be first taken on the largest sum, greatest number and remotest day. Filling blanks.

25. In all cases of elections, except for Speaker, there shall be a previous nomination of the candidates at least one day before the election, and a majority of the members present shall be necessary to a choice. Of nominations and elections.

26. Every resolution, order, or vote, to which the concurrence of the Senate is necessary, and a motion to alter the rules of the House, or for information from the Executive or departments, shall lie on the table one day. Resolutions, &c., lie on the table.

27. No motion or proposition for a tax or charge on the people shall be discussed the day on which it is made or offered. Proposition to tax people to lie on the table one day.

OF COMMITTEES.

28. Committees may be of three kinds, viz:

Committees of the whole House.

Standing Committees.

Select Committees.

COMMITTEES OF THE WHOLE.

29. The rules and proceedings observed in the House, shall be observed, as far as they are practicable, in committee of the whole, except that a member may speak oftener than twice on the subject, nor can a motion for the previous question be made therein. Manner of proceeding in committees of the whole.

Speaker to appoint chairman.

30. When the House resolves itself into a committee of the whole, the Speaker shall appoint a chairman, unless otherwise ordered by the House.

Amendments made therein, not to be read in the House.

31. Amendments made in committee of the whole, shall not be read by the Speaker, on his resuming the chair, unless required by one or more of the members.*

Papers may be called for.

32. When in committee of the whole, any papers laid on the table of the House may be called for by a member, and read by the Clerk, unless the committee otherwise order.

Committees, sessions of.

33. No committee shall sit during the sitting of the House, without leave.

Of standing committees.

34. The following standing committees shall be appointed at the commencement of each session, until otherwise ordered:

A Committee of Ways and Means, to consist of fifteen members.

A Committee on the Judiciary System, (general,) to consist of nine members.

A Committee on the Judiciary System, (local,) to consist of nine members.

A Committee on Pensions and Gratuities, to consist of seven members.

A Committee on Claims, to consist of nine members.

A Committee on Agriculture and Manufactures, to consist of seven members.

A Committee on Education, to consist of fifteen members.

A Committee of Accounts, to consist of seven members.

A Committee on Vice and Immorality, to consist of seven members.

A Committee on the Militia System, of seven members.

A Committee on Election Districts, of seven members.

A Committee on Banks, to consist of thirteen members.

A Committee on Estates and Escheats, to consist of seven members.

A Committee on Roads, Bridges and Canals, to consist of nine members.

A Committee on Corporations, to consist of fifteen members.

A Committee on New Counties and County Seats, to consist of eleven members.

A Committee to Compare Bills, to consist of five members.

A Committee on the Library, to consist of three members.

A Committee on Railroads, to consist of thirteen members.

A Committee on City Passenger Railroads, to consist of eleven members.

A Committee on Mines and Minerals, to consist of thirteen members.

A Committee on Printing, to consist of five members.

A Committee on Public Buildings, to consist of three members.

A Committee on Federal Relations, of thirteen members.†

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*Amendments made in committee of the whole are not parts of bills when the committee reports progress, and leave to sit again is not granted by the House. [Journal, 1820–21, 913.]

NOTE.—The Standing Committees were revised and amended, session 1860.

† Adopted, Session of 1862.

OF BILLS.

35. All bills shall be introduced upon the reports of committees; standing and select committees may report by bill. How introduced.

36. Every bill shall receive three several readings in the House, the two last of which shall be at length, previously to its passage; but no bill shall be read twice on the same day. All bills and joint resolutions shall be printed for the use of the members, and placed on the files in their proper numerical order; and no bill shall be taken up and considered by the House until the same shall have been printed and placed on the files, and shall be read in the committee of the whole. Public bills, in rotation in their numerical order upon the files, shall be the special order for every Friday; they may also be made the order of a particular day, and shall, when called for, have the preference of private bills, which shall be taken up according to their seniority, reckoning from the date of their introduction into the House; and when any bill shall be presented from the Senate for concurrence, the Speaker shall determine, or the House may order, upon the printing the same, and direct accordingly: *Provided*, That all resolutions proposing amendments to the Constitution of this Commonwealth, or to which the approbation and signature of the Governor may be requisite, shall, on their second reading, be placed in the same position as bills, and have no precedence over them. Of reading bills. Not twice on the same day. Printing. Public bills. Private bills. Bills from the Senate.

37. No committee, either standing or select, shall report any bill for the action of this House, granting corporate powers in any case, when the authority of granting such powers has been conferred upon any of the courts of this Commonwealth.* When bills not to be reported.

38. That on Tuesday of each week the Speaker shall, immediately after the reading of the Journal, take up private bills, a calendar of which, in their numerical order, shall be made by the Clerk, and printed and laid on each member's desk before nine o'clock on the morning of each Tuesday; and the Speaker having announced such bills in their order, they shall be severally read by the Clerk, and all such bills as shall encounter no objection, either when the titles of the same are announced by the Speaker, or when the Clerk shall have read the same through, shall be laid aside and prepared for second reading, and shall be taken up in the afternoon of the same day, in the same order, and disposed of in the manner in which bills are now disposed of; and such bills as have passed as aforesaid, shall be in order from day to day until disposed of, unless a majority of the House shall determine otherwise. The proposing of an amendment to any bill shall not be construed to be an objection, unless an objection be actually made, but no debate on such amendment, or to the bill to which it is proposed, shall be in order; nor shall any bill reported with a recommendation to be negatived be placed upon the calendar. Any member objecting to a bill upon the calendar shall be required to state the grounds of his objection at the time, confining himself, however, briefly to the objection. All bills objected off the calendar shall be placed at the foot of the calendar of the succeeding Tuesday, under the head of Tuesday, private bill day.

*Adopted January 8, 1841.

"Objected Bills," and shall be taken up in their order, as soon as the regular calendar has been disposed of, *unless a majority of the House shall otherwise determine.* This rule shall not be so construed to interfere with the passage of Senate bills as they may be reached; nor shall that part of the rule which allows a member to object a bill off the calendar be in force during the last ten days of the session; but all bills then upon the calendar shall be considered in their order, unless a majority of the House shall otherwise order.

Call for bill or other subject.

39. On the call of a member for a bill or other subject, on the table of the House, the question shall be decided without debate or amendment.

Bills introduced without previous notice given.

40. Any bill or joint resolution may be introduced by a member in his place, without giving previous notice, upon leave of the House.

Joint resolutions.

41. Joint resolutions, which partake of the character of bills, shall not be placed upon the Journal in any other way than by a reference to the number and title.*

Bills not to be amended by adding irrelevant matter.

42. No bill or resolution shall at any time be amended by annexing thereto or incorporating therewith, any other bill or resolution pending before the House, nor shall a motion or proposition be entertained under color of such an amendment, nor shall any bill or resolution be amended by substituting therefor, under a motion to strike out, or otherwise, any other bill or resolution, on a subject different from that under consideration, without the unanimous consent of the House.†

OF PERSONS PRIVILEGED.

Persons permitted to come within the bar.

43. None but members of the Senate, their officers, the Governor and Heads of Departments, judges of the courts of this Commonwealth, and former members of the Legislature, shall be permitted to come within the bar of the House during its session, unless specially introduced by a member. And no person, not a member of the Legislature, shall be allowed to come upon the floor of the House, or sit in any seats appropriated for members, or interrupt a member by speaking to him in his seat while the House is in session; and it shall be the duty of the Door-keeper to give notice to any person offending against this rule.

Door-keeper to give notice.

No smoking allowed.

44. It is not permitted to any person to smoke tobacco at any time within the chamber of the House.

45. No person or persons shall at any time be permitted to enter the room of the Transcribing Clerks, except the members and officers of the General Assembly.‡

OATH OF OFFICERS.

Oaths administered to officers.

46. The Speaker of the House shall administer to the Sergeant-at-Arms, Door-keeper, Assistant and Transcribing Clerks, an oath or affirmation, that they will severally support the Constitution of Pennsylvania, and of the United States, and that they will also discharge the duties of their respective offices with fidelity.§

*Adopted, Session of 1843. †Adopted, Session of 1854.
‡Adopted, Session of 1852. §Adopted, Session of 1843.

OF RULES.

47. No rule shall be altered or dispensed with, but by two-thirds of the members present. Not to be altered

48. The rules now adopted, shall be the rules of the House of Representatives of the Commonwealth until otherwise ordered, and shall be published in pamphlet form, and delivered by the Clerk to the members of each succeeding Legislature, within the first week of the session. Publishing rules. Clerk to furnish members with rules.

MISCELLANEOUS.

49. All reports by committees shall be in writing: *Provided*, That the minority of a committee may make report in writing, setting forth the reasons of their dissent. Reports to be in writing.

50. Communications from the Senate to the House shall be read, and information shall be given to the Senate, whenever any proposition coming from that body shall be concurred in. Communications from the Senate.

51. When the names of members shall be called, it shall be done in alphabetical order, except Mr. Speaker, who shall be called last. Order of calling the roll.

52. The yeas and nays of the members on any question, shall at the desire of any two of them, be entered on the Journals, and the members shall have a right to insert the reasons of their votes on the Journals.* Yeas and nays. Reasons for votes

53. No member shall absent himself without first obtaining leave of the House. Absence.

54. No member shall be permitted to vote on any question, unless he be within the bar, and when the yeas and nays are called, he be present to answer to his name. Of voting.

55. On the call of the yeas and nays, the Clerk shall read the names of the members after they have been called, and no member shall be permitted to change his vote, unless he, at that time, declare that he voted under a mistake of the question. Changing of vote

56. When amendments made by the Senate to bills are on second reading, it shall be the duty of the Speaker, without a motion, to put the question, "Will the House concur in the amendment (or amendments) made by the Senate?" and the vote be immediately taken, unless a motion to postpone or refer shall be made.† Of Senate amendments.

57. Immediately after the presentation of petitions on Thursday of each week, it shall be in order for the House to proceed to the consideration of private bills, to be called up by calling over the names of the members in alphabetical order; each alphabetical call to be continued until the alphabet has been gone through with, and absent members to be credited with their call at the time of their presence. Bills called up in alphabetical order of members.

58. When less than a quorum vote on any subject under the consideration of the House, it shall be the duty of the Speaker forthwith to order the bar of the House to be closed, and that the roll of the members be called by the Clerk, and if it is ascertained that a quorum is present, either by answering to their names or by their presence in the House, the yeas and nays shall When less than a quorum vote bar of the House to be closed.

*See Journal of 1835-6, p. 995. †Changed, January 10, 1842.

again be ordered by the Speaker, and if any member present refuses to vote, such refusal shall be deemed a contempt, and unless purged, the Speaker shall order the Sergeant-at-Arms to remove said member or members without the bar of the House, and all privileges of membership shall be refused the person or persons so offending, until the contempt as aforesaid be duly purged.*

Bills returned by Governor to be postponed.

59. All veto messages, upon being announced by the Speaker, shall be read, and the further consideration of the same, with the vote thereon, be postponed for one day, or until the same shall have been published in the proceedings of the House.*

Adjournment.

60. That the House adjourn on every second Friday, until half past seven o'clock P. M., of the succeeding Monday.

Peddling within bar o the House prohibited.

61. No person shall be permitted to hawk, peddle or offer for sale, any apples, candies, nuts, papers or other articles of traffic at any time within the bar of the House; and it shall be the duty of the Door-keeper to strictly enforce this rule.

Members not permitted to record votes in certain cases.

62. That no member shall be permitted to record his vote, who refuses to vote when his name is first called by the Clerk, if he is within the bar of the House when his name is called; and if he is without the bar of the House when his name is called, he shall not be permitted to record his vote, unless he assures the House he did not leave for the purpose of avoiding a vote.

*Adopted Session of 1858.

DECISIONS

OF THE

HOUSE OF REPRESENTATIVES,

ON QUESTIONS OF ORDER.

Quere.—Can a majority of the House appropriate an afternoon session to the consideration of a bill, which could not be reached in regular order, or does it require two-thirds? Undecided.—*Journal*, 1826–7, *page* 351.

After information has been given to the Senate, that the House insists upon its non-concurrence in an amendment by the Senate, a motion to recede from the non-concurrence is not in order.*—*Journal H. R.*, *session* 1827–8, *page* 781.

The same principle is decided in *Journal*, 1816–17, *page* 708.

The proceedings of the House cannot be expunged from the Journal, under the Constitution and uniform practice of the House, without the unanimous consent of the members present.—*Journal H. R.*, 1832–3, *page* 728.

The Speaker decided, and the House sustained the decision, that a question on a resolution for dispensing with the joint rule relating to the transmission of bills, having been laid one day on the table, under the twenty-sixth rule of the House, is decided in the affirmative by a majority of the votes of the members present.—*Journal H. R.*, 1833–4, *page* 816.

The Speaker decided, and the House sustained the decision, that he is not confined by any rule of the House to appoint a committee of conference exclusively from the members who voted for or against a concurrence.—*Journal H. R.*, 1840, *page* 529.

The Speaker submitted to the House for decision: Is the motion to discharge the committee of conference, and recede from its non-concurrence, in order? The House decided in the negative.—*Journal H. R.*, 1840, *page* 360.

The Speaker submitted to the House for decision: Whether a motion to re-consider the vote given for the expulsion of a member by the constitutional majority, and his seat declared vacated, is in order? The House decided in the affirmative.—*Journal H. R.*, 1840, *page* 859 *to* 861.

The Speaker decided that the House having on yesterday adopted a resolution by a vote of two-thirds, that it would proceed to the re-consideration of a certain bill when it met the next morning, the bill is therefore in order. The House sustained the decision.—*Journal H. R.*, 1840, *page* 946 *to* 950.

The Speaker decided that a call for the previous question is in order during the pendency of an appeal from the decision of the Speaker. The House sustained the decision.—*Journal H. R.*, 1840, *page* 946 *to* 948.

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*In this case a committee of conference was appointed, and reported that they could not agree.

A motion was made to proceed to the consideration of Senate amendments to the bill, entitled "An Act to repeal certain acts in relation to the Philadelphia and Trenton railroad company;" whereupon the Speaker submitted to the House for decision, whether the motion could be entertained, inasmuch as the House had previously, on the same day, refused to consider said amendments, though other business had intervened. The House decided in the affirmative.—*Journal H. R.*, 1841, *pages* 977, 978.

The Speaker decided that it is not in order, under the fourth joint rule of the Senate and House of Representatives, to incorporate with the bill which refers to the Canal Commissioners, a provision relating to the per diem pay of members of the Legislature, it being a subject different from that under consideration. The House sustained the decision.—*Journal H. R.*, 1843, *page* 356.

The Speaker decided that it is not in order to entertain two consecutive motions to adjourn, if no other business of the House had intervened at the time the motion was made.—*Journal H. R.*, 1843, *page* 361.

The Speaker decided that it is not in order for a committee, in a report, when referring to a report made at a previous session of the Legislature by a member of this House, to call said member by name. The House sustained the decision.—*Journal H. R.*, 1843, *page* 594.

The Speaker decided that a bill originating in the Senate, and passed by the House of Representatives with amendments, which are concurred in by the Senate with amendments, and returned to the House, was still subject to amendment by the House, the proposed amendment being, in his opinion, only in the second degree. The House sustained the decision.—*Journal H. R.*, *March* 8, 1849.

The Speaker decided that a report of the committee of the whole, embracing subjects not appertaining to the original bill, is not in order.—*Journal H. R.*, 1850, *page* 1120.

The Speaker decided that it is not in order for the minority of a committee of conference to make a report, giving the reasons for dissent from the report of a majority. The House sustained the decision.—*Journal H. R.*, 1850, *page* 1216, 1218.

The Speaker decided that it is in order to strike from a bill all after the enacting clause, and insert another bill different from that contained in the original bill. The House sustained the decision.—*Journal H. R.*, 1853, *pages* 931, 392.

The Speaker submitted to the House the question, whether it is in order to amend the bill, entitled "An Act to authorize the city of Philadelphia to subscribe to the capital stock of the Hempfield railroad company," by adding the following proviso, viz: "*Provided*, That the said subscription shall not be allowed or lawful, unless the Legislature of Virginia shall at its present session grant to the Pittsburg and Steubenville railroad company, the right of way across the territory of Virginia, on such reasonable terms as may be satisfactory to said Pittsburg and Steubenville railroad company, and the right to connect their said railroad with the Steubenville and Indiana railroad." It was decided in the affirmative.—*Journal H. R.*, 1853, *pages* 391, 392.

The Speaker decided that a question although embracing different propositions, could not be divided after those propositions had been amended and acted upon separately and independently, and the question thus blending them together, was presented for the final action of the House. The House sustained the decision.—*Journal H. R.*, 1853, *pages* 655, 656, 657.

The Speaker decided that under the rule for calling up private bills by members in alphabetical order, the bill, entitled "An Act exempting coal and

lumber from the tonnage tax," was in order. The House sustained the decision.—*Journal H. R.*, 1854, *page* 1016.

The Speaker decided that the consideration and passage by the House, of the bill, No. 227, entitled "An Act authorizing the laying out of a State road from Meadville, in Crawford county, to New Wilmington, in Lawrence county," was in order. The House sustained the Speaker.—*Journal H. R.*, 1855, *page* 470.

The Speaker decided that a motion to amend a resolution for the final adjournment of the Legislature, by adding thereto the following: "*Provided*, That in order to avoid the expense attendant upon the meeting of the Convention of the two Houses, in October next, to which it stands adjourned, the members of the two Houses shall re-assemble previous to the final adjournment of the Legislature, for the purpose of electing a person to represent this Commonwealth in the Senate of the United States, in accordance with the Constitution of the United States and the laws of this Commonwealth," was in order. The House overruled the decision of the Speaker.—*Journal H. R.*, 1855, *page* 826.

The House having refused the committee of the whole House leave to sit again upon a bill; the bill being again before the House, pending the question, "Will the House agree to the first section?" a motion was made to re-consider the vote refusing the committee of the whole leave to sit again. The Speaker ruled the motion out of order. An appeal was taken. The appeal was undetermined when the Legislature adjourned *sine die*.—*Journal H. R.*, 1855, *page* 1015.

The Speaker decided that amendments made by the Senate to the appropriation bill, inserting new sections relating to banks, institutions and companies, and to the duties of the Auditor General, were out of order and in violation of the fourth and twelfth joint rules, and the forty-second rule of the House. An appeal was taken. The House sustained the Speaker.—*Journal H. R.*, 1855, *pages* 1023, 1024.

A resolution was offered proposing to hold an afternoon session, for the purpose of considering particular bills. A division of the question was called for, the first division to embrace the holding of an afternoon session, which was agreed to. On the question of the adoption of the second division of the resolution, which was "for the purpose of considering Senate bill, No. 16, entitled 'An Act to incorporate the Stroudsburg Bank,' and the bills of similar import," the Speaker decided that it would require a vote of two-thirds. An appeal was taken, and the decision of the Speaker sustained.—*Journal H. R.*, 1856, *page* 626.

The Speaker decided that a request to lay a bill over did not amount to an objection.—*Journal H. R.*, 1857, *page* 358.

The Speaker decided that under the thirty-eighth rule of the House there is no authority for a member to ask that a bill be laid over.—*Journal H. R.*, 1857, *page* 358.

The Speaker decided that the previous question being called pending a motion to postpone indefinitely, the main question would be on the motion to postpone indefinitely The House reversed the decision.—*Journal H. R.*, 1857, *page* 493.

The Speaker decided that a motion to adjourn was not in order when the previous question had been called and sustained, and was still pending. The House sustained the decision.—*Journal H. R.*, 1857, *page* 509.

The Speaker decided that the previous question could be called while a member was addressing the House.—*Journal H. R.*, 1857, *page* 847.

The Speaker decided that the proposed amendments to the Constitution, agreed to by one Legislature, were not subject to amendment in the Legislature next afterwards chosen.—*Journal H. R.*, 1857, *page* 891.

The Speaker decided that bill, No. 749, entitled "Supplement to an act to incorporate the Sunbury and Erie, and Pittsburg and Susquehanna railroad companies," having been negatived upon its final passage, re-considered, and again negatived, (the bill not having been amended during the intervening time,) a motion to re-consider a second time was not in order. The House reversed the decision.—*Journal H. R.*, 1857, *page* 983.

The Speaker decided that under the ninth joint rule, after the first Monday in February, in each and every session, Senate bills were entitled to priority of consideration over public bills in which greater progress has not been made.—*Journal H. R.*, 1857, *page* 1193.

The Speaker decided that a select committee appointed by the House was required to report to the House by which the committee was appointed.—*Journal H. R.*, 1858, *page* 131.

The House decided that it was in order to instruct a select committee not to make report until a specified time.—*Journal H. R.*, 1858, *page* 201.

The Speaker decided that it was not in order to amend a bill by adding to it matter different from the subject matter of the bill.—*Journal H. R.*, 1858, *page* 340.

The Speaker decided that when the committee of the whole rises, reports progress and is refused leave to sit again, the amendments made in committee of the whole are not parts of the bill, unless so ordered by a vote of the House.—*Journal H. R.*, 1858, *page* 463.

The Speaker decided that the first section being under consideration, it is not in order to strike out all after the enacting clause and insert a new bill, containing several different sections, which are not germain to the first section of the bill under consideration. The House sustained the decision.—*Journal H. R.*, 1858, *page* 592.

The Speaker decided that members calling for the yeas and nays were required to vote. The House sustained the decision.—*Journal H. R.*, 1858, *page* 714.

The Speaker decided that the House having ordered members to vote, the decision of the House abrogated in this particular instance the rule prohibiting members from voting who were in their seats when their names were called and refused to vote. The House sustained the decision.—*Journal H. R.*, 1858, *page* 715.

The Speaker submitted for the decision of the House, whether bill, entitled "An Act further to provide for the incorporation and regulation of insurance companies within this Commonwealth," having been so amended as to confine its provisions to particular localities, was in order, the House having devoted this session exclusively to the consideration of public bills? It was determined in the affirmative.—*Journal H. R.*, 1858, *page* 804.

The Speaker decided that under the rule of the House adopted the 2d April, a member occupying his seat and refusing to vote was in contempt of the House.—*Journal H. R.*, 1858, *page* 813.

The Speaker decided that it was at all times competent for the House to excuse a member from voting.—*Journal H. R.*, 1858, *page* 813.

The Speaker decided that the previous question did not cut off a motion for commitment. An appeal was taken, which was laid on the table.—*Journal H. R.*, 1859, *page* 214.

The Speaker decided that under the thirty-eighth rule of the House, a bill objected off the private calander could be taken up upon the same day, on a

motion made and agreed to by the House.—*Journal H. R.*, 1859, *pages* 254, 255.

The Speaker decided that all bills were under his control while in possession of the House. An appeal was taken, which was laid on the table.—*Journal H. R.*, 1859, *pages* 292, 293, 294.

The House decided that a motion to suspend the orders of the day, when passed in the morning of the day, would control the proceedings of the succeeding sessions of the day.—*Journal H. R.*, 1859, *page* 346.

The House having refused to suspend the orders of the day generally during the morning session of the House, and a session having been subsequently created, for a special purpose, upon the afternoon of the same day, the House decided that a two-thirds vote would suspend the orders during the afternoon session.—*Journal H. R.*, 1859, *page* 701.

The Speaker decided that a vote had, negativing a bill returned by the Governor with his objections, could be re-considered. The House sustained the decision.—*Journal H. R.*, 1860, *page* 638.

The Speaker made the following decision, viz: A bill to incorporate the Mifflin County Bank, returned by the Governor with his objections, having been re-considered by the House of Representatives, and passed by the constitutional majority of two-thirds only, Mr. M'Donough, after the announcement of the vote, (he not being within the bar of the House when the vote was taken,) asked leave to vote. If Mr. M'Donough votes in the negative, it would change the result, thus defeating the bill, and having the same effect as a re-consideration of the vote. Therefore, can the gentleman vote upon the question? The Chair decides that, under the fifty-fourth rule of the House, it will require two-thirds to permit the gentleman to vote, and that, if two-thirds vote in the affirmative, he can have the privilege, if asked for during the same day's session.—*Journal H. R.*, 1860, *page* 756.

The Speaker decided that the House having, by a vote of two-thirds, determined that it would, at a certain specified hour, upon a particular day, proceed to the consideration of a certain question, and the time having arrived, the House must proceed to its consideration, and any other business before the House stands postponed until the question is disposed of by the House, either by adoption, rejection or postponement.—*Journal H. R.*, 1861, *page* 131.

A motion was made to re-consider, which was disagreed to. Subsequently a motion was made to re-consider the vote negativing the motion to re-consider. A question of order was raised. The Speaker decided the motion to be in order. An appeal was taken, which was laid on the table.—*Journal H. R.*, 1861, *page* 510.

The Speaker decided that it was not in order to insert an amendment taxing the tonnage on the different railroads of the State, in a bill for the better organization of the militia of the Commonwealth. An appeal was taken, and laid on the table.—*Journal H. R.*, 1861, *pages* 956, 957.

The Speaker decided, that it was in order to strike from a subject before the House a part of certain words which have, in connection with other words, in the form of an amendment, been already voted upon and agreed to. The House sustained the decision.—*Journal H. R.*, 1862, *page* 344.

The Speaker decided, that a proposed amendment, being a portion of another bill pending in the House, was not in order.—*Journal H. R.*, 1862, *page* 653.

The Speaker decided, that a motion to re-consider the vote on indefinitely postponing a motion to re-consider the vote on the final passage of a bill, was not in order. The House sustained the decision.—*Journal H. R.*, 1862, *page* 778.

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The Speaker decided, that it was in order to make a motion to hold an evening session, without a suspension of the rules, or leave granted for that purpose. An appeal was taken, and laid on the table.—*Journal H. R.*, 1862, *page* 791.

The Speaker decided, that the Senate and House having, by joint resolution, determined that the Legislature would adjourn *sine die* on the 11th of April, inst., and that all select committees of each House should report within three days of that time, and this committee having made their report, it is not now in order for this House to extend the power and function of the committee for a longer time, or for any such committee to sit longer than the time specified in the joint resolution above referred to.—*Journal H. R.*, 1862, *page* 803.

The Speaker decided that it was not in order to report a bill without submitting it to the action of the proper committee.—*Journal H. R.*, 1863, *poge* 712.

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